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Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 982—HANDLING OF FILBERTS GROWN IN OREGON AND WASHINGTON

Expenses and Rate of Assessment for Fiscal 1972–73

Notice was published in the October 11, 1972, issue of the FEDERAL REGISTER (37 F.R. 21442) regarding proposed expenses of the Filbert Control Board for the 1972–73 fiscal year and rate of assessment for that fiscal year, pursuant to §§ 982.60 and 982.61 of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982; 37 F.R. 588), regulating the handling of filberts grown in Oregon and Washington. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were received.

After consideration of all relevant matter presented, including that in the notice, the information and recommendation submitted by the Filbert Control Board, and other available information, it is found that the expenses of the Filbert Control Board and rate of assessment for the fiscal year beginning August 1, 1972, shall be as follows:

§ 982.317 Expenses of the Filbert Control Board and rate of assessment for the 1972–73 fiscal year.

(a) *Expenses.* Expenses in the amount of $34,459 are reasonable and likely to be incurred by the Filbert Control Board during the fiscal year beginning August 1, 1972, for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for said fiscal year, payable by each handler in accordance with § 982.61, is fixed at 0.20 cents per pound of filberts.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal year shall be applicable to all assessable filberts from the beginning of such year; and (2) the current fiscal year began on August 1, 1972, and the rate of assessment herein fixed will automatically apply to all such assessable filberts beginning with that date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: October 20, 1972.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.72-18329 Filed 10-26-72;8:50 am]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Animal and Plant Health Inspection Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

[Docket No. 72-570]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Release of Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f) Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, in paragraph (e)(9) relating to the State of Indiana, subdivision (iv) relating to Dubois and Pike Counties is deleted.

2. In § 76.2, in paragraph (e)(3) relating to the State of North Carolina, subdivision (ii) relating to Columbus County is deleted.

3. In § 76.2, in paragraph (e)(11) relating to the State of Ohio, subdivisions (i) relating to Darke County and (iv) relating to Auglaize County are deleted.

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; secs. 1–4, 33 Stat. 1264, 1265 as amended; sec. 1, 75 Stat. 481; secs. 3 and 11, 76 Stat. 130, 132, 21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 23–126, 134b, 134f, 29 F.R. 16210, as amended, 36 F.R. 20707, 21529, 21530, 37 F.R. 6327, 6505)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments exclude portions of Dubois and Pike Counties in Indiana, a portion of Columbus County in North Carolina, and portions of Darke and Auglaize Counties in Ohio from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas contained in 9 CFR Part 76, as amended, do not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 apply to the excluded areas.

The amendments relieve restrictions presently imposed but no longer deemed necessary to prevent the spread of hog cholera, and they should be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to this Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and unnecessary, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 20th day of October 1972.

G. H. WISE,
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc.72-18330 Filed 10-26-72;8:50 am]

Title 12—BANKS AND BANKING

Chapter IV—Export-Import Bank of the United States

PART 403—CLASSIFICATION, DOWNGRADING, DECLASSIFICATION, AND SAFEGUARDING OF NATIONAL SECURITY INFORMATION

SEPTEMBER 12, 1972.

A new Part 403 is added to Title 12, Chapter IV of the Code of Federal Regulations to implement Executive Order 11652 (37 F.R. 5209, March 10, 1972) and the National Security Council Directive of May 17, 1972 (37 F.R. 10053, May 19, 1972) pertaining to classification, downgrading, declassification, and safeguarding of national security information and material.

These regulations have been approved by the Interagency Classification Review Committee as required by Executive Order 11652 and the National Security Council Directive of May 17, 1972. These regulations, as set forth below are effective June 1, 1972.

[SEAL] HENRY KEARNS,
President and Chairman.

Sec.
403.1 Purpose.
403.2 Classification.
403.3 Information or material furnished by a foreign government or international organization.
403.4 Security classification categories.
403.5 Declassification and downgrading.
403.6 Review of classified material for declassification purposes.
403.7 Access and accountability.
403.8 Implementation.

AUTHORITY: The provisions of this Part 403 issued pursuant to Executive Order 11652 (37 F.R. 5209, March 10, 1972), and the National Security Council Directive of May 17, 1972 (37 F.R. 10053, May 19, 1972).

§ 403.1 Purpose.

This part contains regulations for the classification, downgrading, declassification, and safeguarding of national security information and material of the United States.

§ 403.2 Classification.

Official information may be classified only if its unauthorized disclosure could reasonably be expected to result in some degree of damage to the national security (national defense or foreign relations). Each document or item of material to be classified shall be assigned the lowest classification consistent with the proper protection of the information contained therein. If there is any doubt as to which security classification is appropriate, or as to whether the material should be classified at all, designate the less restrictive treatment. Overclassification, the classification of documents on grounds other than national security and the unwarranted exemption of documents from the general declassification schedule, may be the basis for administrative action.

§ 403.3 Information or material furnished by a foreign government or international organization.

Classified information or material furnished to the United States by a foreign government or international organization shall either retain its original classification or be assigned a U.S. classification. In either case, the classification shall assure a degree of protection equivalent to that required by the government or international organization which furnished the information or material.

§ 403.4 Security classification categories.

Official information or material which requires protection against unauthorized disclosure in the interest of the national defense or foreign relations of the United States (hereinafter collectively termed "national security") shall be classified in one of three categories, namely "Top Secret," "Secret," or "Confidential," depending upon the degree of its significance to national security. No other categories shall be used to identify official information or material as requiring protection in the interest of national security, except as otherwise expressly provided by statute. These classification categories are defined as follows:

(a) *Top Secret.* "Top Secret" refers to that national security information or material which requires the highest degree of protection. The test for assigning "Top Secret" classification shall be whether its unauthorized disclosure could reasonably be expected to cause exceptionally grave damage to the national security. Examples of "exceptionally grave damage" include armed hostilities against the United States or its allies; disruption of foreign relations vitally affecting the national security; the compromise of vital national defense plans or complex cryptologic and communications intelligence systems; the revelation of sensitive intelligence operations; and the disclosure of scientific or technological developments vital to national security. This classification shall be used with the utmost restraint.

(b) *Secret.* "Secret" refers to that national security information or material which requires a substantial degree of protection. The test for assigning "Secret" classification shall be whether its unauthorized disclosure could reasonably be expected to cause serious damage to the national security. Examples of "serious damage" include disruption of foreign relations significantly affecting the national security; significant impairment of a program or policy directly related to the national security; revelation of significant military plans or intelligence operations; and compromise of significant scientific or technological developments relating to national security. The classification "Secret" shall be sparingly used.

(c) *Confidential.* "Confidential" refers to that national security information or material which requires protection. The test for assigning "Confidential" classification shall be whether its unauthorized disclosure could reasonably be expected to cause damage to the national security.

§ 403.5 Declassification and downgrading.

Classified information and material, unless declassified earlier by the original classifying authority, shall be declassified and downgraded in accordance with the following rules:

(a) *General Declassification Schedule*—(1) *Top Secret.* Information or material originally classified "Top Secret" shall become automatically downgraded to "Secret" at the end of the second full calendar year following the year in which it was originated, downgraded to "Confidential" at the end of the fourth full calendar year following the year in which it was originated, and declassified at the end of the 10th full calendar year following the year in which it was originated.

(2) *Secret.* Information and material originally classified "Secret" shall become automatically downgraded to "Confidential" at the end of the second full calendar year following the year in which it was originated, and declassified at the end of the eighth full calendar year following the year in which it was originated.

(3) *Confidential.* Information and material originally classified "Confidential" shall become automatically declassified at the end of the sixth full calendar year following the year in which it was originated.

(b) *Exemptions from general declassification schedule.* Certain classified information or material may warrant some degree of protection for a period exceeding that provided in the General Declassification Schedule. An official authorized to originally classify information or material "Top Secret" may exempt from the General Declassification Schedule any level of classified information or material originated by him or under his supervision if it falls within one of the categories described below. In each case, such official shall specify in writing on the material the exemption category being claimed and, unless impossible, a date or event for automatic declassification. The use of the exemption authority shall be kept to the absolute minimum consistent with national security requirements and shall be restricted to the following categories:

(1) Classified information or material furnished by foreign governments or international organizations and held by the United States on the understanding that it be kept in confidence.

(2) Classified information or material specifically covered by statute, or pertaining to cryptography, or disclosing intelligence sources or methods.

(3) Classified information or material disclosing a system, plan, installation, project, or specific foreign relations matter the continuing protection of which is essential to the national security.

(4) Classified information or material the disclosure of which would place a person in immediate jeopardy.

(c) *Mandatory review of exempted material.* All classified information and material originated after the effective date of Executive Order 11652 which is exempted under paragraph (b) of this section from the General Declassification Schedule shall be subject to a classification review by the originating Department at any time after the expiration of 10 years from the date of origin provided:

(1) A Department or member of the public requests a review;

(2) The request describes the record with sufficient particularity to enable the Department to identify it; and,

(3) The record can be obtained with only a reasonable amount of effort.

Information or material which no longer qualifies for exemption under paragraph (b) of this section shall be declassified. Information or material continuing to qualify under paragraph (b) of this sec-

tion shall be so marked and, unless impossible, a date for automatic declassification shall be set.

(d) *Applicability of the general declassification schedule to previously classified material.* Information or material classified before the effective date of Executive Order 11652 and which is assigned to Group 4 under Executive Order 10501, as amended by Executive Order 10964, shall be subject to the General Declassification Schedule. All other information or material classified before the effective date of Executive Order 11652, whether or not assigned to Groups 1, 2, or 3 of Executive Order 10501, as amended, shall be excluded from the General Declassification Schedule. However, at any time after the expiration of 10 years from the date of origin, it shall be subject to a mandatory classification review and disposition under the same conditions and criteria that apply to classified information and material created after the effective date of Executive Order 11652 as set forth in paragraphs (b) and (c) of this section.

(e) *Declassification of classified information or material after thirty years.* All classified information or material which is 30 years old or more, whether originating before or after the effective date of Executive Order 11652, shall be declassified under the following conditions:

(1) All information and material classified after the effective date of Executive Order 11652 shall, whether or not declassification has been requested, become automatically declassified at the end of 30 full calendar years after the date of its original classification except for such specifically identified information or material which the President and Chairman of the Bank personally determines in writing at that time to require continued protection because such continued protection is essential to the national security or disclosure would place a person in immediate jeopardy. In such case, the President and Chairman of the Bank shall also specify the period of continued classification.

(2) All information and material classified before the effective date of Executive Order 11652 and more than 30 years old shall be systematically reviewed for declassification by the Archivist of the United States by the end of the 30th full calendar year following the year in which it was originated. In his review, the Archivist will separate and keep protected only such information or material as is specifically identified by the President and Chairman of the Bank in accordance with subparagraph (1) of this paragraph. In such case, the President and Chairman of the Bank shall also specify the period of continued classification.

(f) *Extracts and compilations.* When classified information or material from more than one source is incorporated into a new document or other material, the document or other material shall be classified, downgraded or declassified in accordance with the provisions of the order and directives thereunder applicable to the information requiring the greatest protection.

(g) *Notification of expedited downgrading or declassification.* When classified information or material is downgraded or declassified in a manner other than originally specified, whether scheduled or exempted, the classifier shall, to the extent practicable, promptly notify all addressees to whom the information or material was originally officially transmitted. In turn, the addressees shall notify any other known recipient of the classified information or material.

§ 403.6 Review of classified material for declassification purposes.

(a) *Systematic reviews.* All information and material classified after the effective date of Executive Order 11652 and determined in accordance with chapter 21, 44 U.S.C. (82 Stat. 1287) to be of sufficient historical or other value to warrant preservation shall be systematically reviewed on a timely basis by the Bank for the purpose of making such information and material publicly available in accordance with the determination regarding declassification made by the classifier under section 5 of the order. During each calendar year, the Bank shall segregate to the maximum extent possible all such information and material warranting preservation and becoming declassified at or prior to the end of such year. Promptly after the end of such year, the Bank, or the Archives of the United States, if transferred thereto, shall make the declassified information and material available to the public to the extent permitted by law.

(b) *Review for declassification of classified material over 10 years old.* The Executive Vice President, as Chairman of the Security Committee, has been designated as the office to which members of the public or Departments may direct requests for mandatory review for declassification under section 5 (D) and (E) of the order. Requests for review should be directed to the:

Executive Vice President, Export-Import Bank of the United States, 811 Vermont Avenue NW., Washington, DC 20571.

This office shall, in turn, assign the request to the appropriate office for action. In addition, this office or the office which has been assigned action shall immediately acknowledge receipt of the request in writing. If the request requires the rendering of services for which fair and equitable fees should be charged pursuant to title 5 of the Independent Offices Appropriations Act, 1952, 65 Stat. 290, 31 U.S.C. 483a, the requester shall be so notified. The office which has been assigned action shall thereafter make a determination within 30 days of receipt or shall explain the reasons why further time is necessary. If at the end of 60 days from receipt of the request for review no determination has been made, the requester may apply to the Security Committee for a determination. Should the office assigned action on a request for review determine that under the criteria set forth in section 5(B) of the order continued classification is required, the requester shall promptly be notified, and whenever possible, provided with a brief statement as to why the requested information or material cannot be declassified. The requester may appeal any such determination to the Security Committee and the notice of determination shall advise him of this right.

(c) *Security Committee review for declassification.* The Security Committee shall establish procedures for review and act within 30 days upon all applications and appeals regarding requests for declassification. The President and Chairman, acting through the Security Committee, shall be authorized to overrule previous determinations in whole or in part when, in his judgment, continued protection is no longer required. If the Security Committee determines that continued classification is required under the criteria of section 5(B) of the order, it shall promptly so notify the requester and advise him that he may appeal the denial to the Interagency Classification Review Committee.

(d) *Review of classified material over 30 years old.* A request by a member of the public or by a Department under section 5(C) or 5(D) of the order to review for declassification documents more than 30 years old shall be referred directly to the Archivist of the United States, and he shall have the requested documents reviewed for declassification in accordance with Part II D of the National Security Council directive. If the information or material requested has not been transferred to the General Services Administration for accession into the Archives, the Archivist shall, together with the President and Chairman, have the requested documents reviewed for declassification. Classification shall be continued in either case only where the President and Chairman makes at that time the personal determination required by section 5(E)(1) of the order. The Archivist shall promptly notify the requester of such determination and of his right to appeal the denial to the Interagency Classification Review Committee.

(e) *Burden of proof for administrative determinations.* For purposes of administrative determinations under paragraphs (b), (c), and (d) of this section, the burden of proof is on the originating Department to show that continued classification is warranted within the terms of Executive Order 11652.

(f) *Availability of declassified material.* Upon a determination under paragraphs (b), (c), and (d) of this section that the requested material no longer warrants classification, it shall be declassified and made promptly available to the requester, if not otherwise exempt from disclosure under section 552(b) of title 5 U.S.C. (Freedom of Information Act) or other provision of law.

(g) *Classification review requests.* As required by section 5(C) of the order, a request for classification review must describe the document with sufficient particularity to enable the Department to identify it and obtain it with a reasonable amount of effort. Whenever a request is deficient in its description of the

record sought, the requester should be asked to provide additional identifying information whenever possible. Before denying a request on the grounds that it is unduly burdensome, the requester should be asked to limit his request to records that are reasonably obtainable. If, nonetheless, the requester does not describe the records sought with sufficient particularity, or the record requested cannot be obtained with a reasonable amount of effort, the requester shall be notified of the reasons why no action will be taken and of his right to appeal such decision.

(h) *Requests for review.* All requests for review of classified material for declassification purposes should be directed to the:

Executive Vice President, Export-Import Bank of the United States, 811 Vermont Avenue NW., Washington, DC 20571.

§ 403.7 Access and accountability.

(a) *General access requirements.* Except as provided in paragraphs (b) and (c) of this section, access to classified information shall be granted in accordance with the following:

(1) *Determination of trustworthiness.* No person shall be given access to classified information or material unless a favorable determination has been made as to his trustworthiness. The determination of eligibility, referred to as a security clearance, shall be based on such investigations as the Bank may require in accordance with the standards and criteria of Executive Order 10450 and Executive Order 10865 as appropriate.

(2) *Determination of need-to-know.* In addition to a security clearance, a person must have a need for access to the particular classified information or material sought in connection with the performance of his official duties or contractual obligations. The determination of that need shall be made by officials having responsibility for the classified information or material.

(3) *Administrative withdrawal of security clearance.* The Bank shall make provision for administratively withdrawing the security clearance of any person who no longer requires access to classified information or material in connection with the performance of his official duties or contractual obligations. Likewise, when a person no longer needs access to a particular security classification category, the security clearance shall be adjusted to the classification category still required for the performance of his duties and obligations. In both instances, such action shall be without prejudice to the person's eligibility for a security clearance should the need again arise.

(b) *Access by historical researchers.* Persons outside the executive branch engaged in historical research projects may be authorized access to classified information or material provided that the President and Chairman of the Bank determines that:

(1) The project and access sought conform to the requirements of section 12 of the order.

(2) The information or material requested is reasonably accessible and can be located and compiled with a reasonable amount of effort.

(3) The historical researcher agrees to safeguard the information or material in a manner consistent with the order and directives thereunder.

(4) The historical researcher agrees to authorize a review of his notes and manuscript for the sole purpose of determining that no classified information or material is contained therein.

(5) An authorization for access shall be valid for the period required but no longer than 2 years from the date of issuance unless renewed under regulations of the originating department.

§ 403.8 Implementation.

All suggestions and complaints, including those regarding overclassification, failure to declassify, or delay in declassifying not otherwise resolved, shall be referred to the Committee for resolution. In addition, the Security Committee shall review all appeals of requests for records under section 552 of title 5 U.S.C. (Freedom of Information Act) when the proposed denial is based on their continued classification under the order.

[FR Doc.72-18381 Filed 10-26-72;8:55 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 72-CE-32-AD; Amdt. 39-1546]

PART 39—AIRWORTHINESS DIRECTIVES

Beech Model 60 Series Airplanes

There has been a report that a moisture barrier installed at fuselage station 306.421 on a Beech Model 60 airplane which protects the avionics compartment from water, became loose in such a way that it restricted elevator travel. Since this condition is likely to exist or develop in other airplanes of the same type design an airworthiness directive is being issued, applicable to Beech Model 60 series airplanes which have the moisture barrier installed, requiring modification of the moisture barrier so as to prevent elevator restriction in the event the moisture barrier comes loose.

Since a situation exists which requires expeditious adoption of the amendment, notice and public procedure hereon are impracticable and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

BEECH. Applies to Beech Models 60 series (Serial Nos. P-1 thru P-200 and P-210) airplanes which have a moisture barrier at fuselage station 306.421.

Compliance: Within the next 25 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent possible interference with elevator movement, accomplish the following:

(A) Starting at the cutout for the elevator bell crank, slit the moisture barrier vertically upward utilizing a knife, razor blade or other similar tool. Extend this cut through the Velcro strip which attaches the moisture barrier to the front spar of the horizontal stabilizer.

NOTE: In making the slit do not damage the spar.

(B) Any equivalent method of compliance with this AD must be submitted and approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective October 31, 1972.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on October 17, 1972.

JOHN R. WALLS,
Acting Director, Central Region.

[FR Doc.72-18289 Filed 10-26-72;8:46 am]

[Airspace Docket No. 72-SW-40]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway

On August 8, 1972, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (37 F.R. 15938) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an east alternate to VOR Federal airway No. 71 between Monroe, La., and Natchez, Miss., via the Alto Intersection.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable. However, the Air Transport Association, Southwest Regional Operations Office, suggested establishing the east alternate on the 327° M radial of the Natchez VOR rather than the 329° M radial as proposed.

Since the difference in distance involved is only 1 mile and since, in utilizing the 327° M radial, the Alto Intersection would be relocated nearer to the existing Rayville Intersection resulting in reduced holding pattern separation, the FAA has determined that use of the Natchez 329° M radial as proposed is preferable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., January 4, 1973, as hereinafter set forth.

In § 71.123 (37 F.R. 2009) V-71 text is amended by deleting all before "El Dorado, Ark.;" and substituting "From Baton Rouge, La., Natchtez, Miss., including an E alternate via INT Baton Rouge 026° and Natchez 156° radials; Monroe, La., including an E alternate from Natchez to Monroe via INT Natchez 335° and Monroe 103° radials;" therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 19, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-18293 Filed 10-26-72;8:46 am]

[Airspace Docket No. 72-SO-101]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zones and Transition Areas

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Bowling Green and Covington, Ky., control zones and the Bowling Green, Ky., and Cincinnati, Ohio, transition areas.

The Bowling Green and Covington control zones are described in § 71.171 (37 F.R. 2056) and the Bowling Green and Cincinnati transition areas are described in § 71.181 (37 F.R. 2143).

United States Standards for Terminal Instrument Procedures (TERP's), issued after extensive consideration and discussion with Government agencies concerned and affected industry groups, are now being applied to update the criteria for instrument approach procedures. The criteria for the designation of controlled airspace protection for these procedures were revised to conform to TERP's and achieve increased and efficient utilization of airspace.

Because of this revised criteria, it is necessary to alter the Bowling Green and Covington control zones and the Bowling Green and Cincinnati transition areas to reflect the required extension designations.

In consideration of the foregoing, notice and public procedure hereon are unnecessary and Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (37 F.R. 2056), the Bowling Green and Covington, Ky., control zones are amended as follows:

BOWLING GREEN, KY.

All after "long. 86°25'07" W.);" is deleted and "within 4.5 miles each side of Bowling Green VORTAC 206° radial, extending from the 5-mile radius zone to 10 miles southwest of the VORTAC." is substituted therefor.

COVINGTON, KY.

"* * * within 3 miles each side of Cincinnati VORTAC 223° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VORTAC * * *" is deleted and "* * * within 4.5 miles each side of Cincinnati VORTAC 223° radial, extending from the 5-mile radius zone to 10.5 miles southwest of the VORTAC * * *" is substituted therefor.

In § 71.181 (37 F.R. 2143), the Bowling Green, Ky., and Cincinnati, Ohio, transition areas are amended as follows:

BOWLING GREEN, KY.

All after "long. 88°25'07" W.);" is deleted and "within 4.5 miles each side of Bowling Green VORTAC 206° radial, extending from the 11-mile radius area to 11 miles southwest of the VORTAC." is substituted therefor.

CINCINNATI, OHIO

"* * * Burlington RBN; * * *" is deleted and "* * * Burlington RBN; within 5 miles each side of Cincinnati VORTAC 223° radial, extending from the 11.5-mile radius area to 11.5 miles southwest of the VORTAC; * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on October 16, 1972.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.72-18291 Filed 10-26-72;8:46 am]

[Airspace Docket No. 72-SO-100]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Areas

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Gulfport, Miss., control zone and the Gulfport, Meridian (Key Field), and Picayune, Miss., transition areas.

The Gulfport control zone is described in § 71.171 (37 F.R. 2056 and 11858). The Gulfport transition area is described in § 71.181 (37 F.R. 2143 and 13467) and the Meridian (Key Field) and Picayune transition areas are described in § 71.181 (37 F.R. 2143).

U.S. Standard for Terminal Instrument Procedures (TERP'S), issued after extensive consideration and discussion with Government agencies concerned and affected industry groups, are now being applied to update the criteria for instrument approach procedures. The criteria for the designation of controlled airspace protection for these procedures were revised to conform to TERP's and achieve increased and efficient utilization of airspace.

Because of this revised criteria, it is necessary to alter the Gulfport control zone and the Gulfport, Meridian (Key Field), and Picayune transition areas to reflect the required extension designations.

In consideration of the foregoing, notice and public procedure hereon are unnecessary and Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (37 F.R. 2056), the Gulfport, Miss., control zone (37 F.R. 11858) is amended as follows:

All between "long. 89°04'05" W.);" "excluding that portion within the Biloxi, Miss., control zone." is deleted and "within 3.5 miles each side of Gulfport VORTAC 050°, 129°, 213°, and 319° radials, extending from the 5-mile radius zone to 9.5 miles northeast, southeast, southwest and northwest of the VOR TAC; * * *" is substituted therefor.

In § 71.181 (37 F.R. 2143), the Gulfport, Miss., transition area (37 F.R. 13467), the Meridian, Miss. (Key Field), and the Picayune, Miss., transition areas are amended as follows:

GULFPORT, MISS.

"* * * within 4.5 miles each side of Gulfport VORTAC * * *" is deleted and * * * within 3.5 miles each side of Gulfport VORTAC * * *" is substituted therefor.

MERIDIAN, MISS. (KEY FIELD)

"* * * within 9.5 miles southwest and 4.5 miles northeast of Meridian VORTAC 315° radial, extending from the VORTAC to 18.5 miles northwest of the VORTAC * * *" is deleted and "* * * within 5 miles each side of Meridian VORTAC 315° radial, extending from the 11-mile radius area to 11.5 miles northwest of the VORTAC * * *" is substituted therefor.

PICAYUNE, MISS.

All after "long. 89°42'25"W.);" is deleted and " * * * within 3.5 miles each side of Picayune VORTAC 334° radial, extending from the 5-mile radius area to 8 miles northwest of the VORTAC." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on October 16, 1972.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.72-18290 Filed 10-26-72;8:46 am]

[Airspace Docket No. 72-SO-11]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition and Control Areas

On August 8, 1972, a notice of proposed rule making was published in the

FEDERAL REGISTER (37 F.R. 15937) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Florida transition area and Control 1216. Three related nonregulatory actions were also included in the material published.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., December 7, 1972, as hereinafter set forth.

In § 71.181 (37 F.R. 2143, 9461 and 36 F.R. 23796) the Florida Transition Area is amended as follows:

Delete that paragraph beginning with "Including the airspace south of Pensacola, Fla.," and ending with "excluding the portion that coincides with the 1,200 foot transition area."

In § 71.163 (37 F.R. 2048 and 36 F.R. 23795) Control 1216 is amended to read as follows:

That airspace extending upward from 2,000 feet MSL bounded by a line beginning at lat. 28°59'00" N., long. 90°15'00" W., thence northeast and east along the Louisiana, Mississippi, Alabama, and Florida transition areas to the north boundary of Control 1226, thence west along north boundary of Control 1226 to long. 84°39'00" W.; to lat. 28°-41'30" N., long. 86°48'00" W.; to lat. 28°55'-00" N., long. 88°00'00" W.; thence south along long. 88°00'00" W.; to and west along the north boundary of the Houston Oceanic Control area; to and north along long. 90°15'00" W.; to point of beginning, excluding Control 1226.

Associated non-rule-making actions are taken as hereinafter set forth and are effective 0901 G.m.t., December 7, 1972.

1. W-470: Add "Controlling Agency: FAA, Jacksonville ARTC Center."

2. W-151: Add "Controlling Agency: FAA, Jacksonville ARTC Center."

3. W-453: Add "Controlling Agency: FAA, Houston ARTC Center."

(Secs. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348(a), 1510; Executive Order 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 18, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-18294 Filed 10-26-72;8:47 am]

[Airspace Docket No. 72-SO-65]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Area High Routes

On August 16, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 16552) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would realign area high routes J811R, J874R and J934R via the Rome, Ga., VOR.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amenedd, effective 0901 GMT, January 4, 1973, as hereinafter set forth.

Section 75.400 (37 F.R. 2400, 9022 and 15293) is amended as follows:

a. In J811R "Rockmart, Ga. 34°16'05" N/85°05'51"W Birmingham, Ala." is deleted and "Rome, Ga. 34°09'45"N/85°07'-10"W Birmingham, Ala." is substituted therefor.

b. In J874R "Rockmart, Ga. 34°16'03" N/85°05'51" W Birmingham, Ala." is deleted and "Rome, Ga. 34°09'45"N/85°07'-10"W Birmingham, Ala," is substituted therefor.

c. In J934B "Bremen, Ga. 33°39' N./85°12'55" W. Montgomery, Ala." is deleted and "Rome, Ga. 34°09'45" N./85°-07'10" W. Birmingham, Ala." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on October 19, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-18292 Filed 10-26-72;8:46 am]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter IX—National Oceanic and Atmospheric Administration, Department of Commerce

SUBCHAPTER A—GENERAL REGULATIONS

PART 908—MAINTAINING RECORDS AND SUBMITTING REPORTS ON WEATHER MODIFICATION ACTIVITIES

On June 10, 1972, a notice of proposed rule making on maintaining and submitting records regarding weather modification activities was published in the FEDERAL REGISTER (37 F.R. 11679). Interested persons were given until September 11, 1972, to submit written views, objections, recommendations, or suggestions in connection with the proposed rules. The comments received in response to the notice have been considered and revisions have been made in the rules for clarity, simplicity, and utility.

The purpose of these rules is to provide for the reporting to the Secretary of Commerce of weather modification activities taking place within the United States. The Secretary is charged under law to assemble and retain records of such weather modification activities, to make these records publicly available to the fullest extent practicable, and to publish summaries thereof from time to time. By so doing, among other things, expertise in the field of weather modification will be increased, and scientists and other concerned persons will have access to information about past and ongoing efforts at weather modification, can determine whether their activities will be necessary or duplicative, can check both desirable and undesirable atmospheric changes against records of weather modification, and can be alert to possible territorial overlappings of weather modification operations.

Therefore, pursuant to the authority contained in Public Law 92-205, 85 Stat. 735, December 18, 1971, the National Oceanic and Atmospheric Administration (NOAA) amends Title 15, Code of Federal Regulations, by the addition of Part 908, adopting the rules set forth below. These rules will be administered by the Administrator, National Oceanic and Atmospheric Administration, on behalf of the Secretary of Commerce, pursuant to the Secretary's delegation of authority in section 3, subparagraph .01t of the Department of Commerce Organization Order 25-5A.

HOWARD W. POLLOCK,
Acting Administrator.

OCTOBER 18, 1972.

The rules are as follows:

Sec.
908.1 Definitions.
908.2 Persons subject to reporting.
908.3 Activities subject to reporting.
908.4 Initial report.
908.5 Interim reports.
908.6 Final report.
908.7 Supplemental reports.
908.8 Maintenance of records.
908.9 Retention of records.
908.10 Penalties.
908.11 Maintenance of records of related activities.
908.12 Public disclosure of information.
908.13 Address of letters.
908.14 Business to be transacted in writing.
908.15 Times for taking action: expiration on Saturday, Sunday, or holiday.
908.16 Signature.
908.17 Suspension or waiver of rules.
908.18 Matters not specifically provided for in rules.
908.19 Publication of notice of proposed amendments.
908.20 Effective date.
908.21 Report form.

AUTHORITY: The provisions of this Part 908 issued pursuant to the authority contained in Public Law 92-205, 85 Stat. 735, December 18, 1971.

§ 908.1 Definitions.

As used in this part, terms shall have the meaning ascribed in this section.

(a) *Administrator.* The Administrator of the National Oceanic and Atmospheric Administration.

(b) *Person.* Any individual, corporation, company, association, firm, partnership, society, joint stock company, any State or local government or any agency thereof, or any other organization, whether commercial or nonprofit, except where acting solely as an employee, agent, or independent contractor of the Federal Government.

(c) *Weather modification activity.* Any activity performed with the intention of producing artificial changes in the composition, behavior, or dynamics of the atmosphere.

(d) *United States.* The several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or insular possession of the United States.

(e) *Persons whose activities relate to weather modification.* Persons engaged in weather modification activities or engaged in the distribution or sale of weather modification apparatus or materials known by them to be destined for use in weather modification activities.

(f) *Project.* A related series of weather modification activities having a common objective.

(g) *Modification mission.* One or more airborne weather modification activities intended to affect the same target area, or one or more weather modification activities carried out by items of ground-based weather modification apparatus intended to affect the same target area. For purposes of these rules, activities that extend beyond 1 calendar day shall constitute a separate mission for each day that they continue.

(h) *Target area.* The ground area within which the effects of the weather modification activity are expected to be found.

(i) *Control area.* A preselected, untreated ground area used for comparison with a target area.

(j) *Weather modification apparatus.* Any apparatus used with the intention of producing artificial changes in the composition, behavior, or dynamics of the atmosphere. For example: Seeding generators, propane devices, flares, rockets, artillery projectiles, jet engines, etc.

§ 908.2 Persons subject to reporting.

Any person engaged or intending to engage in any weather modification activity in the United States shall be subject to the reporting provisions of this part.

§ 908.3 Activities subject to reporting.

(a) The following, when conducted as weather modification activities, shall be subject to reporting:

(1) Seeding or dispersing of any substance into clouds or fog, to alter drop size distribution, produce ice crystals or coagulation of droplets, alter the development of hail or lightning, or influence in any way the natural development cycle of clouds or their environment;

(2) Using fires or heat sources to influence convective circulation or to evaporate fog;

(3) Modifying the solar radiation exchange of the earth or clouds, through the release of gases, dusts, liquids, or aerosols into the atmosphere;

(4) Modifying the characteristics of land or water surfaces by dusting or treating with powders, liquid sprays, dyes, or other materials;

(5) Releasing electrically charged or radioactive particles, or ions, into the atmosphere;

(6) Applying shock waves, sonic energy sources, or other explosive or acoustic sources to the atmosphere;

(7) Using aircraft propeller downwash, jet wash, or other sources of artificial wind generation; or

(8) Using lasers or other sources of electromagnetic radiation.

(b) In addition to the activities listed above, other similar activities falling within the definition of weather modification as set forth in § 908.1 are also subject to reporting.

(c) The requirement for reporting shall not apply to activities of a purely local nature that can reasonably be expected not to modify the weather outside of the area of operation. This exception is presently restricted to the use of lightning deflection or static discharge devices in aircraft, boats, or buildings, and to the use of small heat sources, fans, fogging devices, aircraft downwash, or sprays to prevent the occurrence of frost in tracts or fields planted with crops susceptible to frost or freeze damage. Other exceptions may be made in the future by rule of the Administrator.

§ 908.4 Initial report.

(a) Any person intending to engage in any weather modification project or activity in the United States shall provide a report of his intention, to be received by the Administrator at least 10 days before the commencement of such project or activity. This report shall contain at least the following:

(1) The designation, if any, used by the operator for the project or activity;

(2) The following dates for weather modification activities:

(i) The date the first actual weather modification activity is to be undertaken;

(ii) The date on which the final modification activity is expected to occur;

(3) The name and address of the person for whom the project or activity is to be performed;

(4) The purpose of the project or activity;

(5) A map showing the approximate size and location of the target and control areas, and the location of each item of ground-based weather modification apparatus, precipitation measuring device, and, for airborne operations, the airport;

(6) A description of the weather modification apparatus, modification agents, and the techniques to be employed;

(7) The name and address of the responsible individual from whom log books or other records of the project or activity may be obtained; and

(8) Optional remarks, to include any additional items which the person deems significant or of interest and such other information as the Administrator may request the person to submit.

(b) If circumstances prevent the signing of a contract or agreement to perform, or receipt of an authorization to proceed with, a weather modification activity at a date early enough to comply with paragraph (a) of this section, the initial report shall be provided so as to be received by the Administrator within 10 days of the date of signing of the contract or agreement, or receipt of authorization to proceed. In such cases, the report shall be accompanied by an explanation as to why it was not submitted at least 10 days prior to the commencement of the activity.

(c) In the event that circumstances beyond the control of the person liable to report under these regulations prevent the submission of the initial report in a timely manner as described above, the report shall be forwarded as early as possible, accompanied by an explanation as to why a timely report has not been provided. If such explanation is deemed adequate, the Administrator will consider the notice as timely filed.

§ 908.5 Interim reports.

(a) Any person engaged in a weather modification project or activity in the United States on October 1 in any year shall submit to the Administrator, not later than 90 days thereafter, an interim report setting forth as of such date the information required below with respect to any such continuing project or activity not previously furnished to the Administrator in a prior interim report; provided that the October 1 date shall not apply if other arrangements have previously been made with the written approval of the Administrator.

(b) The interim report shall include the file number assigned by the Administrator and shall provide a summary of the project or activity containing at least the following information for each month:

(1) Number of days on which actual modification activities took place;

(2) Number of days on which weather modification activities were conducted, segregated by each of the predominant types of weather phenomena;

(3) Number of modification missions that were carried out;

(4) Total number of hours of operation of each type of weather modification apparatus (i.e., net hours of agent release);

(5) Total amount of agent used. If more than one agent was used, each should be totaled separately (e.g., carbon dioxide, sodium chloride, urea, silver iodide).

(c) The totals for the items in paragraph (b) of this section shall be provided for the period covered by the interim report.

§ 908.6 Final report.

Upon completion of a weather modification project or activity the person who performed the same shall submit a report to the Administrator not later than 90 days after completion of the project or activity. The report shall include the file number assigned by the Administrator and the following items:

(a) Information required for the interim reports (to the extent not previously reported).

(b) The total number of days on which actual modification activities took place during the project or activity.

(c) The total number of days during the project or activity on which weather modification activities were conducted, segregated by each of the predominant types of weather phenomena.

(d) The total number of modification missions that were carried out under the project or activity.

(e) The total number of hours of operation of each type of weather modification apparatus during the project or activity (i.e., net hours of agent release).

(f) The total amount of modification agent(s) dispensed during the project or activity. If more than one agent was used, each should be totaled separately (e.g., carbon dioxide, sodium chloride, urea, silver iodide).

(g) The date on which the final weather modification activity occurred.

§ 908.7 Supplemental reports.

Notwithstanding other regulations, a supplemental report in letter form referring to the appropriate NOAA file number, if assigned, must be made to the Administrator immediately if any report of weather modification activities submitted under § 908.4, § 908.5, or § 908.6 is found to contain any material inaccuracies, misstatements, and omissions. A supplemental report must also be made if there are changes in plans for the project or activity.

§ 908.8 Maintenance of records.

(a) Any person engaging in a weather modification activity in the United States shall maintain a record of such activity. This record shall contain at least the following, when applicable:

(1) A chronological record of activities carried on, preferably in the form of a daily log, which shall include the NOAA file number assigned to the project, the designation of each unit of weather modification apparatus, and at least the following information for each unit:

(i) Date of the weather modification activity.

(ii) Position of each aircraft or location of each item of weather modification apparatus during each modification mission. Maps may be used.

(iii) Time when weather modification activity began and ended.

(iv) Total duration of operation of each unit of weather modification apparatus (i.e., net hours of agent release).

(v) Type of each modification agent used.

(vi) Rate of dispersal of each agent during the period of actual operation of weather modification apparatus.

(vii) Total amount of agent used. If more than one agent was used, report total for each type separately.

(viii) Number of days on which weather modification activities were conducted, segregated by the predominant types of weather phenomena.

(2) The monthly totals of hours of modification activity, the amount of modification agent used, and the number of days on which weather modification activities were conducted, segregated by each of the predominant types of weather phenomena, shall be shown on the daily log sheet for the last day of each month.[1]

(b) When the activity involves ground-based weather modification apparatus, records of the following shall also be maintained, when applicable, but need not be made part of the daily log:

(1) The location of each item of weather modification apparatus in use and its identification such as type and manufacturer's model number. If the apparatus is not commercially available, a brief description of the apparatus and the method of operation should be recorded.

(2) The name and address of the person responsible for operating each weather modification apparatus;

(3) The altitude and type of weather phenomenon subjected to weather modification activity during each operational period (e.g., cumulus clouds between 10,000 and 30,000 feet m.s.l.; ground fog).

(c) When the activity involves airborne weather modification apparatus, records of the following shall also be maintained, when applicable, but need not be made a part of the daily log:

For each airborne weather modification apparatus run: altitude, air speed; release points of modification agents, method of modification and characteristics of flares, rockets, or other delivery systems employed; temperature at release altitude; and, for aircraft: the type of aircraft, its identification number, the airport or airports used, and the names and addresses of crew members and the person responsible for operating the weather modification apparatus; and the altitude and type of weather phenomenon subjected to weather modification activity during each operational period (e.g., cumulus clouds between 10,000 and 30,000 feet m.s.l.; ground fog).

(d) The following records shall also be maintained, whenever applicable, but need not be made a part of the daily log. Only data specifically collected for the reported activity need be retained; data available from other sources need not be included.

(1) Any descriptions that were recorded of meteorological conditions in target and control areas during the periods of operation; for example: percent of cloud cover, temperature, humidity, the presence of lightning, hail, funnel clouds, heavy rain or snow, and unusual radar patterns.

(2) All measurements made of precipitation in target and control areas.

(3) Any unusual results.

§ 908.9 Retention of records.

Records required under § 908.8 shall be retained and available for inspection by the Administrator or his designated representatives for 5 years after completion of the activity to which they relate. Such records shall be required to be produced for inspection only at the place where normally kept. The Administrator shall have the right to make copies of such records, if he deems necessary.

§ 908.10 Penalties.

Knowing and willful violation of any rule adopted under the authority of section 2 of Public Law 92–205 shall subject the person violating such rule to a fine of not more than $10,000, upon conviction thereof.

§ 908.11 Maintenance of records of related activities.

(a) Persons whose activities relate to weather modification activities, other than persons engaged in weather modification activities, shall maintain records concerning the identities of purchasers or users of weather modification apparatus or materials, the quantities or numbers of items purchased, and the times of such purchases. Such information shall be retained for at least 5 years.

(b) In addition, persons whose activities relate to weather modification shall be required, under the authority of section 4 of Public Law 92–205, to provide the Administrator, on his request, with information he deems necessary to carry out the purposes of this act.

§ 908.12 Public disclosure of information.

(a) Any records or other information obtained by the Administrator under these rules or otherwise under the authority of Public Law 92–205 shall be made publicly available to the fullest practicable extent. Such records or information may be inspected on written request to the Administrator. However, the Administrator will not disclose any information referred to in section 1905 of title 18, United States Code, and that is otherwise unavailable to the public, except that such information shall be disclosed—

(1) To other Federal Government departments, agencies, and officials for official use upon request;

(2) In any judicial proceeding under a court order formulated to preserve the confidentiality of such information without impairing the proceeding; and

(3) To the public, if necessary to protect their health and safety.

(b) Certified copies of such reports and information, to the extent publicly disclosable, may be obtained from the Administrator at cost in accordance with the Department of Commerce implementation of the Freedom of Information Act.

(c) Persons reporting on weather modification projects or related activities shall specifically identify all information that they consider not to be subject to public disclosure under the terms of Public Law 92–205 and provide reasons in support thereof. A determination

[1] Filed as part of the original document.

as to whether or not reported information is subject to public dissemination shall be made by the Administrator.

§ 908.13 Address of letters.

Letters and other communications intended for the Administrator, in connection with weather modification reporting or activities, shall be addressed to: The Administrator, National Oceanic and Atmospheric Administration, Office of Environmental Modification, Rockville, Md. 20852.

§ 908.14 Business to be transacted in writing.

All business transacted with the National Oceanic and Atmospheric Administration with regard to reports of weather modification activities should be transacted in writing. Actions of the National Oceanic and Atmospheric Administration will be based exclusively on the written record.

§ 908.15 Times for taking action; expiration on Saturday, Sunday, or holiday.

Whenever periods of time are specified in these rules in days, calendar days are intended. When the day, or the last day, fixed under these rules for taking any action falls on a Saturday, Sunday, or on a Federal holiday, the action may be taken on the next succeeding day which is not a Saturday, Sunday, or Federal holiday.

§ 908.16 Signature.

All reports filed with the National Oceanic and Atmospheric Administration must be dated and signed by or on behalf of the person conducting or intending to conduct the weather modification activities referred to therein by such person, individually or, in the case of a person other than an individual, by a partner, officer, or other person having corresponding functions and authority. For this purpose "officer" means a president, vice president, treasurer, secretary, or comptroller. Notwithstanding the foregoing, such reports may also be signed by the duly authorized agent or attorney of the person whose activities are being reported. Proof of such authorization shall be furnished to the Administrator when filing a report, unless previously furnished.

§ 908.17 Suspension or waiver of rules.

In an extraordinary situation, any requirement of these rules may be suspended or waived by the Administrator on request of the interested party, to the extent such waiver is consistent with the provisions of Public Law 92-205 and subject to such other requirements as may be imposed.

§ 908.18 Matters not specifically provided for in rules.

All matters not specifically provided for or situations not specifically addressed in these rules will be decided in accordance with the merits of each case by or under the authority of the Administrator, and such decision will be communicated in writing to all parties involved in the case.

§ 908.19 Publication of notice of proposed amendments.

Whenever required by law, and in other cases whenever practicable, notice of proposed amendments to these rules will be published in the FEDERAL REGISTER. If not published with the notice, copies of the text of proposed amendments will be furnished to any person requesting the same. All comments, suggestions, and briefs received within the time specified in the notice will be considered before adoption of the proposed amendments, which may be modified in the light thereof. Informal hearings may be held at the discretion of the Administrator.

§ 908.20 Effective date.

These rules are effective November 1, 1972.

(a) Any person engaged in a weather modification activity on the effective date shall furnish the initial report required under § 908.4 within 30 days from the effective date, appropriately modified as circumstances may require.

(b) Any person intending to engage in a weather modification activity scheduled to commence less than 40 days from the effective date of these rules may furnish the required report under § 908.4 as late as 30 days following such effective date.

(c) The explanatory statement required by § 908.4(c), pertaining to late reports, need not be submitted with the initial reports in the above cases.

§ 908.21 Report form.

Public Law 92-205 and these rules should be studied carefully prior to reporting. Reports required by these rules shall be submitted on forms obtainable on request from the Administrator, or on an equivalent format.[2] In special situations, such alterations to the forms as the circumstances thereto may render necessary may be made, provided they do not depart from the requirements of these rules or of Public Law 92-205.

[FR Doc.72-18279 Filed 10-26-72;8:45 am]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8818-o]

PART 13—PROHIBITED TRADE PRACTICES

Firestone Tire & Rubber Co.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections;* 13.15-250 Qualifications and abilities; § 13.135 *Nature of product or service;* § 13.175 *Quality of product or service;* § 13.195 *Safety;* 13.195-60 *Product.* Subpart—Misrepresenting oneself and goods: § 13.1535 *Qualifications;* § 13.1710 *Qualities or properties.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, The Firestone Tire & Rubber Co., Akron, Ohio, Docket No. 8818-o, Sept. 22, 1972]

In the Mattter of The Firestone Tire & Rubber Co., a Corporation

Order requiring an Akron, Ohio, manufacturer of tires to cease misrepresenting the effectiveness of respondent's quality control or inspection procedures; using the words "The safe tire," without disclosing in close conjunction that the safety of any tire is affected by conditions of use such as inflation pressure, vehicle weight, etc.; representing that any of respondent's automobile tires have any safety or performance characteristics or are superior in quality or performance without substantiated, competent, scientific tests. The order dismisses the charges in the complaint relating to the advertising of prices.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered: (1) That the initial decision of the Commission to the extent consistent with, and rejected to the extent inconsistent with, the accompanying opinion;

(2) That the following order be, and it hereby is, substituted for the order contained in the initial decision.

It is ordered, That respondent The Firestone Tire & Rubber Co., a corporation, its successors, assigns, officers, representatives, and employees directly or through any corporate or other device, in connection with the advertising, offering for sale, sale, or distribution of automobile tires or any other product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that every purchaser of tires bearing the brand name "Firestone," or any other brand name, is assured of receiving tires free from defects in materials or workmanship or other manufacturing defects.

2. Misrepresenting, in any manner, the effectiveness of respondent's quality control or inspection procedures.

3. Using the words, "The safe tire," or any other word or phrase of similar import or meaning to describe or designate respondent's tires or otherwise representing, directly or by implication, that respondent's tires will be safe under all conditions of use.

4. Making any representation, directly or by implication, regarding the safety of respondent's tires without disclosing clearly and conspicuously and in close conjunction with such representation that the safety of any tire is affected by conditions of use, such as inflation pres-

[2] Filed as part of the original document.

sure, vehicle weight, wear, and other operating conditions.

5. Representing, directly, or by implication, that any of respondent's automobile tires have any safety or performance characteristic or are superior in quality or performance to other products unless each such characteristic was fully and completely substantiated by competent scientific tests, with the results of the test, the original test data collected in the course of the test, and a detailed description of how the test was performed available in written form for inspection for at least 3 years following the final use of the representation.

It is further ordered, That the charges in the complaint relating to the advertising of prices be, and they hereby are, dismissed.

It is further ordered, That respondent deliver a copy of this order to each of its operating departments, divisions, and subsidiaries engaged in the advertising, offering for sale, sale, or distribution to the public at retail of automobile tires or other merchandise and to the manager of each present and every future retail outlet owned and operated by respondent.

It is further ordered, That respondent notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation that may affect the compliance obligations arising out of the order.

It is further ordered, That respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist.

By the Commission, with Commissioners Kirkpatrick, Dixon, MacIntyre, Jones, and Dennison concurring in part and not concurring in part, as set forth in their separate statements.[1]

Issued: September 22, 1972.

[SEAL] CHARLES A. TOBIN, *Secretary*.

[FR Doc.72-18346 Filed 10-26-72;8:52 am]

Title 17—COMMODITY AND SECURITIES EXCHANGE

Chapter II—Securities and Exchange Commission

[Release Nos. 33-5229, 34-9465, 35-17435, IA-306, IC-6959]

PART 230—GENERAL RULES AND REGULATIONS UNDER SECURITIES ACT OF 1933

Adoption of Fee Schedule for Certain Filings and Services; Correction

In the FEDERAL REGISTER for January 29, 1972, on page 1471 (37 F.R. 1471) the reference in the middle of the second column reading:

II. Paragraph (a) of § 230.236 of this chapter is hereby amended as follows:

§ 230.236 Exemption of shares offered in connection with certain transactions.

* * * * *

(a) * * * At the time of filing this information, the applicant shall pay to the Commission a fee of $100, no part of which shall be refunded.

Should read as follows:

* * * * *

II. Paragraph (c) of § 230.236 of this chapter is hereby amended as follows:

§ 230.236 Exemption of shares offered in connection with certain transactions.

* * * * *

(c) * * * At the time of filing this information, the applicant shall pay to the Commission a fee of $100, no part of which shall be refunded.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary*.

OCTOBER 19, 1972.

[FR Doc.72-18332 Filed 10-26-72;8:49 am]

[Release No. 34-9660]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES AND EXCHANGE ACT OF 1934

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

Application of Reporting Provisions to Issuers Which Have Ceased or Severely Curtailed Their Operations

The Securities and Exchange Commission (Commission), in the interest for a better understanding of certain of its procedures, has issued the following statement concerning the application of the reporting provisions of the Securities Exchange Act of 1934 (Exchange Act) to issuers which have ceased or severely curtailed their operations and, thus, would find it extremely difficult to comply fully with those provisions.

Issuers which have securities listed on a national stock exchange or have registered securities pursuant to section 12(g) of the Exchange Act or have registered securities under the Securities Act of 1933 are required to file current and periodic reports with the Commission pursuant to section 13(a) or 15(d) of the Exchange Act. These are among the more important requirements adopted by the Congress "to insure the maintenance of fair and honest markets in securities transactions * * *."[1]

As the Commission has stated:

"The disclosure in reports filed with the Commission are essential to the preservation of free, fair and informed securities markets."[2]

The importance of these provisions has been aptly summarized by the House Committee which considered the Exchange Act as follows:

No investor, no speculator, can safely buy and sell securities upon the exchanges without having an intelligent basis for forming his judgement as to the value of the securities he buys and sells. The idea of a free and open market place is built on the theory that competing judgments of buyers and sellers as to the fair price of a security brings about a situation where the market price reflects as nearly as possible a just price * * *. The hiding and secreting of important information obstructs the operation of the markets as indices of real value * * *. The disclosure of information materially important to investors may not instantaneously be reflected in market value, but despite the intricacies of security values truth does find relatively quick acceptance on the market * * *. Delayed, inaccurate, and misleading reports are the tools of the unconscionable market operator and the recreant corporate official who speculates on inside information * * *.

The reporting provisions of the Securities Exchange Act are a very modest beginning to afford * * * long denied aid * * * in the way of securing proper information for the investor.[3]

The Commission, however, when not inconsistent with the protection of investors, would modify the reporting requirements as they apply to particular issuers.[4] For example, where an issuer is subject to proceedings under Chapter X of the Bankruptcy Act and a court appointed trustee has possession of the issuer's books and records, or where a receiver or other judicially appointed officer has possession of such books and records, the Commission generally would accept reports prepared under the supervision of the trustee or other judicially appointed officer which differ in form or content from reports required to be filed under the Exchange Act. In addition, where a company has been adjudicated bankrupt or the Commission is notified that it is defunct, a notification to that effect generally would be placed in the public files relating to the issuer together with any related judicial orders.

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[1] Filed as part of the original document.

[1] Exchange Act, section 2.

[2] Rule 12b-25 (17 CFR 240.12b-25) under the Exchange Act, introductory note.

[3] H.R. Report No. 1383, 73d Cong., 2d Sess., 13 (1934).

[4] It is not the purpose of this release to discuss the applicability of the provisions of section 12(h) of the Exchange Act which authorizes the Commission to exempt issuers which meet the standards of that section from the reporting provision in whole or in part. It is sufficient to note that these provisions can be interpreted to relate to circumstances with respect to an issuer's business of a more permanent nature than a temporary cessation or curtailment of operations. For example, a partial exemption from the reporting provisions of the Exchange Act has been granted to a savings and loan association subject to regulatory controls by another governmental agency. Security Savings and Loan Association, Securities Exchange Act Release No. 9313 (August 25, 1971).

Also, there are various provisions in the rules, regulations, and forms adopted by the Commission to implement the reporting provisions of the Exchange Act which provide limited relief from those provisions under certain circumstances. Rule 12b-21 (17 CFR 12b-21) under the Exchange Act provides that, if any required information is unknown or not reasonably available to the issuer because it would be unreasonably expensive or would take an unreasonable effort to obtain or because it is peculiarly within the knowledge of a person not affiliated with the issuer, such information may be omitted from reports required to be filed under the Exchange Act. However, the rule requires the issuer to provide as much of the information as is possible without unreasonable effort or expense and to demonstrate that to provide additional information would entail unreasonable effort or expense. Although Rule 12b-21 does not contain standards as to what would constitute unreasonable effort or expenses, in general, an unreasonable effort or expense would result if the benefits which might be derived by the shareholders of the issuer from the filing of the information are outweighed significantly by the cost to the issuer of obtaining the information. For example, where a company has ceased, or severely curtailed its operations it might be unreasonable to require it to undergo the expense of obtaining the opinion of an independent auditor on its financial statement.[5] However, the Commission's rules and forms provide for the filing of appropriate financial statements of a comparable character in substitution for the required statements in the circumstances under discussion.[6] This generally would require the filing of unaudited statements which would otherwise comply with the requirements of the applicable form. In addition, in determining whether to permit omission of required financial statements the Commission weighs heavily the efforts of the issuer to advise its shareholders and the investing public or its financial condition and its inability to provide the required financial information. At a minimum this might entail the issuer mailing copies of unaudited financial statements to shareholders together with a written explanation of the circumstances resulting in the lack of certification, issuing a press release containing substantially the same information and undertaking to provide such financial statements to brokers and dealers on request. Similar considerations apply where a request is made for an extension of time to file a required report which cannot be filed on time because of the unreasonable effort or expense involved.[7]

While the Commission does on occasion permit the filing of unaudited financial statements, it would be only in the most unusual circumstances where it would consider permitting the use of unaudited financial statements which otherwise do not meet the requirements of the reporting forms or the omission of nonfinancial information required to be included in reports on these forms. As discussed above, if a company is presently subject to proceedings under the Federal Bankruptcy Act, or has virtually ceased doing business, some modification of the filing requirements might be in order. However, generally speaking, as soon as such conditions cease the full requirements of the Act again would apply.

In determining whether the modification of the reporting requirements with respect to a particular issuer would be consistent with the protection of investors the Commission will consider the nature and extent of the trading in the securities of the issuer. In this connection, dealers who recommend securities of an issuer which is unable to comply fully with the reporting requirements should carefully consider the information available and their obligations to make suitable recommendations to their customers. Attention is also called to the requirements of Rule 15c2-11 under the Exchange Act (17 CFR 240.15c2-11) requiring a dealer to have certain information concerning an issuer before its securities may be quoted by that dealer.

The foregoing discussion should not be taken as an invitation for evasion of the reporting requirements. Issuers will be required to demonstrate that relieving them of the necessity for complying with certain reporting requirements would be consistent with the protection of investors. This includes advising the Commission of the difficulties which serve as a basis for such relief.

In supporting a request for limited relief from reporting requirements issuers should supply adequate written statements of the reasons for their inability to comply including financial information where appropriate. In addition, where such inability relates to action it is necessary for a person other than the issuer to take, such as a certification of financial statements by an independent accountant, a written statement from such person may be necessary to support the issuer's request for relief.

If issuers do not advise the Commission concerning their inability to comply with reporting requirements, or if they resist the attempts of the Commission's staff to obtain information concerning the issuers financial difficulties, it may result in enforcement action by the Commission in a situation where such action might have been avoided. The Commission notes that in the past year it has commenced more than 20 civil injunctive actions seeking to compel the filing of delinquent reports by the defendants.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

JUNE 30, 1972.

[FR Doc.72-18323 Filed 10-26-72;8:49 am]

[5] In this connection the instructions to the financial statement requirements in Form 10 (17 CFR 249.210), the general form for registration of securities under the Exchange Act, and in Form 10-K (17 CFR 249.310), the general form for annual reports under the Act, provide that the Commission, at the request of an issuer, my permit omission of required financial statements where consistent with the protection of investors. See Form 10, Instructions as to Financial Statements, 15; and Form 10-K, Instructions as to Financial Statements, 9. The instructions in Form 8-K (17 CFR 249.308), the form for current reports of material events, relating to financial statements of business acquired by an issuer contain similar provisions, as do the general instructions to Form 10-Q (17 CFR 249.308a), the general form for quarterly reports. Form 8-K, Financial Statements of Businesses Acquired, 4; and Form 10-Q rules as to use of Form 10-Q, I.

[6] *Ibid.*

[7] Exchange Act, Rule 12b-25(a). That rule requires a showing that the extension requested is consistent with the public interest and the protection of investors.

[Release Nos. 33-5307, 34-9786]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

Resale of Certain Securities; Correction

In the FEDERAL REGISTER for September 30, 1972, on page 20558 (37 F.R. 20558) the reference on the bottom of the third column reading:

§§ 239.308a, 239.310 [Amended]

Form 10-Q (17 CFR 239.308a) and 10-K (17 CFR 239.310) should read as follows:

§§ 249.308a, 249.310 [Amended]

Forms 10-Q (17 CFR 239.308a) and 10-K (17 CFR 249.310).

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

OCTOBER 19, 1972.

[FR Doc.72-18324 Filed 10-26-72;8:49 am]

Title 20—EMPLOYEES' BENEFITS

Chapter I—Bureau of Employees' Compensation, Department of Labor

SUBCHAPTER A—ORGANIZATION AND PROCEDURES

REASSIGNMENT OF BUREAU FUNCTIONS AND REVISION OF SUBCHAPTER A

Subchapter A of Chapter I, Title 20, Code of Federal Regulations, is hereby revised as set forth below. This action is necessitated by organizational changes

and reassignment of functions in the Department of Labor which are to be given effect in the application of the regulations in this chapter.

These revisions include an amendment to the title of Subchapter A to read "Organization and Procedures"; the addition of a new Part 01 entitled "Performance of Functions Under This Chapter"; the redesignation of Part 01 as Part 02; the redesignation of Part 02 as Part 03; and the making of appropriate editorial changes. In Part 02 of the revised subchapter, those sections of Part 01 of the present subchapter dealing with the Longshoremen's and Harbor Workers' Compensation Act and its extensions have been deleted, and those dealing with the Federal Employees' Compensation Act, the War Hazards Compensation Act, and the War Claims Act have been renumbered.

The provisions of 5 U.S.C. 553 which require notice of proposed rule making, opportunity for public participation, and delay in effective date are not applicable because these rules relate exclusively to internal agency organization and procedure.

Accordingly, these amendments shall become effective immediately.

1. The title of Subchapter A of Chapter I, Title 20, Code of Federal Regulations, is amended to read as set forth above.

2. Such Subchapter A is revised to read as follows:

PART 01—PERFORMANCE OF FUNCTIONS UNDER THIS CHAPTER

Sec.
01.1 Establishment of Office of Federal Employees' Compensation (OFEC).
01.2 Transfer of functions to Office of Federal Employees' Compensation (OFEC).
01.3 Functions of Office of Workmen's Compensation Programs (OWCP).

AUTHORITY: The provisions of this Part 01 issued under 5 U.S.C. 301; Reorganization Plan No. 6 of 1950, 15 F.R. 3174, 64 Stat. 1263; 5 U.S.C. 8145, 8149, 8193; 42 U.S.C. 1706(a); 50 U.S.C. App. 2003; Secretary of Labor's Order No. 13-71, 36 F.R. 8755.

§ 01.1 Establishment of Office of Federal Employees' Compensation (OFEC).

The Assistant Secretary of Labor for Employment Standards, by authority vested in him by the Secretary of Labor in Secretary's Order No. 13-71, 36 F.R. 8755, has established in the Employment Standards Administration (ESA) an Office of Federal Employees' Compensation (OFEC). The Assistant Secretary has further designated as the head thereof a Director who, under the general supervision of the Deputy Assistant Secretary for Employment Standards/Wage-Hour Administrator and the Deputy Administrator, shall administer the programs assigned to that Office by the Assistant Secretary.

§ 01.2 Transfer of functions to Office of Federal Employees' Compensation (OFEC).

Pursuant to the authority vested in him by the Secretary of Labor, the Assistant Secretary for Employment Standards has transferred from the Bureau of Employees' Compensation to the Office of Federal Employees' Compensation all functions of the Department of Labor with respect to the administration of benefits programs under the following statutes:

(a) The Federal Employees' Compensation Act, as amended and extended, 5 U.S.C. 8101-8150, 8191-8193;

(b) The War Hazards Compensation Act, 42 U.S.C. 1701 et seq.;

(c) The War Claims Act of 1948, 50 U.S.C. App., 2001 et seq.

Accordingly, all functions of the Bureau of Employees' Compensation under Subchapters B, F, and G of this chapter, are now functions of the Office of Federal Employees' Compensation (OFEC) and references to the Bureau contained in the regulations therein should be read as referring to the Office of Federal Employees' Compensation, until such regulations are revised.

§ 01.3 Functions of Office of Workmen's Compensation Programs (OWCP).

The Office of Workmen's Compensation Programs (OWCP) has been established in the Employment Standards Administration of the Department of Labor, to which functions of the Bureau of Employees' Compensation other than those described in § 01.2 have been transferred as set forth in Part 701 of Chapter VI of this title (37 F.R. 20533). All functions of the Bureau of Employees' Compensation under Subchapters C, D, E, H, and I of this chapter, are now functions of the Office of Workmen's Compensation Programs and references to the Bureau contained in the regulations therein should, pending revision and recodification, be read as referring to the Office of Workmen's Compensation Programs.

PART 02—PROCEDURES

FEDERAL EMPLOYEES' COMPENSATION ACT

Sec.
02.1 Processing of claims.
02.2 Review by OFEC.
02.3 Review by Employees' Compensation Appeals Board.
02.4 Request for a hearing.
02.5 Time and place of hearing; prehearing conference.
02.6 Conduct of hearing.
02.7 Termination of hearing; decision; review of decision.
02.8 Withdrawal of request for hearing; abandonment.

WAR HAZARDS COMPENSATION ACT

02.31 General procedures.
02.32 Forms.
02.33 Reimbursable insurance claims.

WAR CLAIMS ACT

02.51 General procedure.
02.52 Forms.

AUTHORITY: The provisions of this Part 02 issued under 5 U.S.C. 301; Reorganization Plan No. 6 of 1950, 15 F.R. 3174, 64 Stat. 1263; 5 U.S.C. 8145, 8149, 8193; 42 U.S.C. 1706(a); 50 U.S.C. App. 2003; Secretary of Labor's Order No. 13-71, 36 F.R. 8755.

FEDERAL EMPLOYEES' COMPENATION ACT

§ 02.1 Processing of claims.

(a) Claims for compensation for disability and death are processed by claims examiners of the Office of Federal Employee's Compensation, U.S. Department of Labor, whose duty it is to apply the law to the facts as reported, received, or obtained upon investigation. The Federal Employee's Compensation Act, as amended, requires determination of a claim, with findings of fact and a decision for or against the payment of compensation, upon consideration of the claim presented by the claimant, the report by his immediate superior, and the completion of such investigation as the Office may deem necessary. There is no required procedure for the production of evidence, and evidence in written form is accepted. The final authority in the Office in the determination of a claim is vested in the Director or Acting Director of the Office. The decision shall contain findings of fact and a statement of reasons. A copy of the decision, together with information as to the right to a hearing, to a review, and to an appeal to the Employee's Compensation Appeals Board, shall be mailed to the claimant at his last known address.

(b) For the purposes of this Chapter I, the "Federal Employees' Compensation Act" includes all laws providing or extending the protection of the Federal Employees' Compensation Act, 5 U.S.C. 8101 et seq. See also § 1.1(c) of this chapter.

§ 02.2 Review by OFEC.

An award for or against the payment of compensation may be reviewed by the Office under 5 U.S.C. 8128(a) at any time, on its own motion or on application of the claimant. No formal application for review is required, but a written request for review, stating reasons why the decision should be changed and accompanied by evidence not previously submitted to the Office, is necessary to invoke action. Such request shall be made to the Director, Office of Federal Employees' Compensation, U.S. Department of Labor, Washington, D.C. 20211.

§ 02.3 Review by Employees' Compensation Appeals Board.

Final decisions of the Office are subject to review by the Employees' Compensation Appeals Board (ECAB), U.S. Department of Labor, under the rules of procedure set forth in Part 501 of this title.

§ 02.4 Request for a hearing.

Prior to any review under § 02.2, any claimant for compensation not satisfied with a decision of the Office shall, upon written request made within 30 days after the date of issuance of such decision, be afforded an opportunity for a hearing before an Office representative designated by the Director or Acting Director. The request for hearing shall be made to the Director, Office of Federal Employees' Compensation, U.S. Department of Labor, Washington, D.C. 20211. At such hearing, the claimant shall be afforded an opportunity to present evidence in further sup-

§ 02.5 Time and place of hearing; prehearing conference.

The Office representative shall set the time and place of the hearing, and shall mail written notice thereof to the claimant at least 10 days prior to the hearing. The hearing will, when practicable, be set at a time and place convenient for the claimant. The Office representative may, and when so requested by the claimant shall, afford the claimant a prehearing conference to clarify the issues in his claim and, when necessary, shall postpone the hearing for this purpose. Request for such conference may be made to the Office representative orally or in writing.

§ 02.6 Conduct of hearing.

In conducting the hearing, the Office representative shall not be bound by common law or statutory rules of evidence, by technical or formal rules of procedure, or by section 5 of the Administrative Procedure Act, but may conduct the hearing in such manner as to best ascertain the rights of the claimant. For this purpose he shall receive such relevant evidence as may be adduced by the claimant and shall, in addition, receive such other evidence as he may determine to be necessary or useful in evaluating the claim. Evidence may be presented orally or in the form of written statements and exhibits. The hearing shall be recorded, and the original of the complete transcript shall be made a part of the claims record.

§ 02.7 Termination of hearing; decision; review of decision.

The Office representative shall fix the time within which he will receive evidence, and shall terminate the hearing by mailing a copy of his tentative decision, setting forth the basis therefor, to the claimant at his last known address. Such tentative decision shall become the final decision unless revised within 30 days. A copy of any revision of the tentative decision, setting forth the basis therefor, shall be mailed to the claimant at his last known address within such 30-day period. The provisions for review in §§ 02.2 and 02.3 are applicable to such final decision.

§ 02.8 Withdrawal of request for hearing; abandonment.

A claimant may withdraw his request for a hearing at any time prior to the mailing of the decision, by written notice to the Office representative so stating, or by orally so stating at the hearing. A claimant shall be deemed to have abandoned his request for a hearing if he fails to appear at the time and place set for the hearing and does not, within 10 days after the time set for the hearing, show good cause for such failure to appear.

WAR HAZARDS COMPENSATION ACT

§ 02.31 General procedures.

The procedure in respect to the benefit provisions, insofar as administration of the War Hazards Compensation Act (56 Stat. 1028, as amended, 42 U.S.C. 1701 et seq.) is concerned, is stated in detail by the regulations in Subchapter F of this chapter. Under such regulations claims may be filed directly with the Office or with a person designated by the Office and may be processed completely by the Office or completely or partially by the authorized OFEC field officers. The final authority in the approval of claims is the Director or Acting Director, Office of Federal Employees' Compensation. Review of claims is the same as in cases under the Federal Employees' Compensation Act (see §§ 02.2, 02.3, 02.4).

§ 02.32 Forms.

The Director or Acting Director, OFEC, may from time to time issue and require the use of forms which, in his opinion, will facilitate the processing of any claim filed under the War Hazards Compensation Act.

§ 02.33 Reimbursable insurance claims.

Reimbursement of employers, insurance carriers, and compensation funds, for losses resulting from hazards of the war, is provided for in the War Hazards Compensation Act. The procedure in respect to reimbursement and the prerequisites of claims are set forth in detail by the regulations in Subchapter F of this chapter. Under such regulations claims may be filed directly with the Office. They are examined by the Office officials after verification by the Solicitor's Office, U.S. Department of Labor. The final authority in the Office in the approval of such claims is the Director or Acting Director thereof.

WAR CLAIMS ACT

§ 02.51 General procedures.

The procedure in respect to the administration of functions of the Secretary of Labor under the benefit provisions of the War Claims Act of 1948 (62 Stat. 1240, 50 U.S.C. App. 2003) is set forth in detail by regulations in Subchapter G of this chapter and, by reference therein, to pertinent regulations in Subchapter F of this chapter. Under such regulations claims must be filed with the Office or with a person designated by the Office for such purpose. The final authority in the Office in the approval or rejection of claims is the Director or Acting Director thereof. Review of claims is as in cases under the Federal Employees' Compensation Act (see §§ 02.2, 02.3, 02.4).

§ 02.52 Forms.

The Director or Acting Director, OFEC, may from time to time issue and require the use of forms which, in his opinion, will facilitate the processing of any claim filed under the War Claims Act of 1948.

PART 03—STATEMENT RELATIVE TO SUBSTANTIVE RULES

§ 03.1 Statement relative to substantive rules.

(a) The principal function of the OFEC and its subordinate parts is that of adjudicating claims for workmen's compensation. This function is quasi-judicial in character and involves the application of statutes and principles of law to resolve factual situations. This field of activity is within the specialized branch of the law generally referred to as "workmen's compensation," and has its own particularized principles which have general applicability to workmen's compensation statutes (State and Federal), as such statutes have certain common or underlying similarity in respect to the meaning of terms and phrases, and in respect to scope, jurisdiction, and general basic concepts of employer liability.

(b) In the administration of the several workmen's compensation laws within its jurisdiction, the Office has one general policy, which is to follow and to adhere to the principles of workmen's compensation law as stated in the opinions of the Supreme Court, the Federal Circuit Courts of Appeal, and the District Courts of the United States, as they may appropriately be applied or have been determined by the Employees' Compensation Appeals Board (ECAB) to apply in like situations arising under the laws administered by the OFEC. In addition, decisions and opinions of the judicial tribunals of the several States furnish principles of law of general applicability in the specialized field of workmen's compensation, which form parts of the foundation of general principles relied upon in the application and interpretation of the several acts administered by the Office. The Office applies the statute, applicable in respect to a particular case or situation, to the extent that the statute can readily be applied without extrinsic aid, but where such aid is necessary the source thereof is the body of principles embodied in authoritative decisions of the courts and the ECAB within such well-recognized branch of the law.

(c) Certain statutes administered by the Office (relating to military or quasi-military establishments) contain as the fundamental prerequisite to compensation that injury or death shall have occurred in the "line of duty"—a phrase not having a counterpart in workmen's compensation statutes. The policy of the Office in respect to such phrase is to follow the principles and interpretations in respect thereto as may be applied by the particular service in which the disabled or deceased individual served.

(d) To the extent that any rule of substantive nature may appear in the published regulations of the OFEC, such regulations are made part of this section.

(5 U.S.C. 301; Reorganization Plan No. 6 of 1950, 15 F.R. 3174, 64 Stat. 1263; 5 U.S.C. 8145, 8149, 8193; 42 U.S.C. 1706(a); 50 U.S.C. App. 2003; Secretary of Labor's Order No. 13-71, 36 F.R. 8755)

Signed at Washington, D.C., this 24th day of October 1972.

RICHARD J. GRUNEWALD,
Assistant Secretary for Employment Standards.

[FR Doc.72-18375 Filed 10-26-72;8:54 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7207]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Charitable Contributions Deduction; Correction

On October 4, 1972, Treasury Decision 7207 with respect to charitable contributions deduction appeared in the FEDERAL REGISTER (37 F.R. 20767; F.R. Doc. 72-16703 filed 10/3/72; 8:45 a.m.). The following change should be made:

The figure of "($90,000–$1,000)" appearing in the first line of the third column at 37 F.R. 20778 should be changed to read "($90,000–$10,000)".

JAMES F. DRING,
Director, Legislation and Regulations Division.

[FR Doc.72-18352 Filed 10-26-72;8:52 am]

[T.D. 7207]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 30, 1953

Charitable Contributions Deduction

Correction

In F.R. Doc. 72-16703 appearing at page 20767 of the issue for Wednesday, October 4, 1972, the following changes should be made:

1. In § 1.170A-4(d):

a. In Example (7), the reference in the fifth line to "$2,000 ($8,000 [$10,000—$4,000", should read, "$2,000 ($8,000—[$10,000—$4,000"; and the reference in the 11th line to "$8,000 [$4,000 adjusted basis X $8,000", should read "($8,000—[$4,000 adjusted basis X $8,000".

b. The reference in the 25th line of Example (8) to "$1,000 ($6,000 [$4,000", should read "$1,000 ($6,000—[$4,000".

2. In § 1.170A-6(c)(4), the words "by the donor, such value", in the 9th line from the bottom should be deleted and replaced with "was determined pursuant".

3. In § 1.170A-7:

a. In paragraph (b)(1)(i) the word "individual" in the 12th line from the end of the subdivision should read "undivided".

b. In paragraph (c) the words "the fair market value of the remainder unitrust" in the 23d and 24th lines should be deleted.

4. In § 1.170A-8(e):

a. In paragraph (c) of Example (3) the word "this" in the third line from the bottom should read "his."

b. In Example (8), the reference to "—$4,000" in the 13th line of paragraph (c) should read, "—[$4,000".

5. In the examples tables in § 1.170A-10(c)(2):

a. The year "1972" referred to in heading over the third column of the table marked "1971" should refer to "1971".

b. In the table marked "1974," in item (3)(ii) the figure "$7,100" in the third line should appear in parentheses.

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

SUBCHAPTER E—PESTICIDES PROGRAMS

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Dialifor

A petition (PP 1F1032) was filed by Hercules Inc., Wilmington, Del. 19899, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for combined residues of the insecticide dialifor (*S*-(2-chloro-1-phthalimidoethyl) *O,O*-diethyl phosphorodithioate) and its oxygen analog in or on the raw agricultural commodities citrus fruits at 1.5 parts per million and in meat and milk at 0.005 part per million (negligible residue).

Subsequently, the petitioner amended the petition by increasing the proposed tolerance for residues in or on citrus fruits to 3 parts per million and by changing the proposed tolerance on meat and milk to 0.06 part per million in meat, fat, and meat byproducts of cattle and fat of milk. (For a related document, see this issue of the FEDERAL REGISTER, page 22987.)

Based on consideration given the data submitted in the petition and other relevant material, it is concluded that:

1. The insecticide is useful for the purpose for which the tolerances are being established.

2. The proposed tolerances on meat and milk are adequate to cover residues resulting from the proposed use, and § 180.6(a)(2) applies. No poultry feed items are involved.

3. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), Part 180 is amended as follows:

1. In § 180.3(e)(5), by alphabetically inserting in the list of cholinesterase-inhibiting pesticides two new items as follows:

§ 180.3 Tolerances for related pesticide chemicals.

* * * * *

(e) * * *

(5) * * *

Dialifor (*S*-(2-chloro-1-phthalimidoethyl) *O,O*-diethyl phosphorodithioate).

Dialifor oxygen analog (*S*-(2-chloro-1-phthalimidoethyl) *O,O*-diethyl phosphorothioate).

* * * * *

2. In Subpart C, by adding a new section as follows:

§ 180.326 Dialifor; tolerances for residues.

Tolerances are established for combined residues of the insecticide dialifor (*S*-(2-chloro-1-phthalimidoethyl) *O,O*-diethyl phosphorodithioate) and its oxygen analog *S*-(2-chloro-1-phthalimidoethyl) *O,O*-diethyl phosphorothioate in or on raw agricultural commodities as follows:

3 parts per million in or on citrus fruits.

0.06 part per million in meat, fat, and meat byproducts of cattle.

0.06 part per million in milk fat (reflecting negligible residues in whole milk).

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, DC 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (10-27-72).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: October 16, 1972.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-18301 Filed 10-26-72;8:47 am]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Inorganic Bromides

A petition (PP 0F1004) was filed by the Dow Chemical Co., Midland, Mich. 48640 and the Shell Chemical Co., Suite 1103, 1700 K Street NW., Washington, DC 20006, in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a) proposing the establishment of tolerances for residues of inorganic bromides (calculated as Br) in or on the raw agricultural commodities soybeans at 125 parts per million and lima beans at 50 parts per million from soil application of the nematocide 1,2-dibromo-3-chloropropane.

Subsequently the petitioners amended the petition by requesting a higher tolerance (75 parts per million) for residues in or on lima beans.

Prior to December 2, 1970, the Secretary of Agriculture certified that this pesticide chemical is useful for the purposes for which tolerances are being established, and the Fish and Wildlife Service of the Department of the Interior advised that it has no objection to these tolerances.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that:

1. The proposed usage is not expected to add significantly to the background levels of inorganic bromides in meat, milk, poultry, and eggs.

2. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.197 is amended by alphabetically inserting soybeans in the paragraph which begins "125 parts per million" and lima beans in the paragraph which begins "75 parts per million", as follows:

§ 180.197 Inorganic bromides resulting from soil treatment with 1,2-dibromo-3-chloropropane; tolerances for residues.

* * * * *

125 parts per million in or on bananas (of which residue not more than 75 parts per million shall be in the pulp after the peel is removed and discarded), and soybeans.

* * * * *

75 parts per million in or on almond hulls, carrots, celery, figs, lima beans, okra, parsnips, radishes, snap beans, and turnips.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (10-27-72).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: October 16, 1972.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-18300 Filed 10-26-72;8:47 am]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Paraquat

A petition (PP 0F0986) was filed by Chevron Chemical Co., 940 Hensley Street, Richmond, CA 94804, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for residues of the herbicide paraquat derived from application of either the dichloride or the bis(methyl sulfate) salt in or on the raw agricultural commodities alfalfa, birdsfoot trefoil, clover, pasture grass, and range grass at 50 parts per million; and in the meat, fat, and meat byproducts of cattle, goats, and sheep and in milk at 0.05 part per million (negligible residue).

Subsequently, the petitioner amended the petition by reducing the proposed tolerances on alfalfa, birdsfoot trefoil, clover, pasture grass, and range grass from 50 parts per million to 5 parts per million and on the meat of cattle, goats, and sheep and in milk from 0.05 part per million to 0.01 part per million (negligible residues) and by proposing a tolerance of 0.01 part per million (negligible residue) for meat, fat, and meat byproducts of horses.

Prior to December 2, 1970, the Secretary of Agriculture certified that this pesticide is useful for the purpose for which tolerances are being established and the Fish and Wildlife Service, U.S.D.I., stated that it had no objections to the proposed tolerances.

Based on consideration given the data submitted and other relevant material, it is concluded that:

1. There is no reasonable expectation of residues in eggs or poultry, and § 180.6(a)(3) applies.

2. The proposed tolerances on meat, fat, and meat byproducts of cattle, goats, horses, and sheep and in milk are adequate for residues from the proposed use, and § 180.6(a)(2) applies.

3. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.205 is amended by inserting a new paragraph "5 parts per million * * *" before the paragraph "0.5 part per million * * *" and by inserting two new paragraphs "0.01 part per million (negligible residue) in meat * * *" and "0.01 part per million (negligible residue) in milk", respectively, after the paragraph "0.05 part per million * * *", as follows:

§ 180.205 Paraquat; tolerances for residues.

* * * * *

5 parts per million or on alfalfa, birdsfoot trefoil, clover, pasture grass, and range grass.

* * * * *

0.01 part per million (negligible residue) in meat, fat, and meat byproducts of cattle, goats, horses, and sheep.

0.01 part per million (negligible residue) in milk.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (10-27-72).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2))

Dated: October 16, 1972.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-18303 Filed 10-26-72;8:47 am]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Methomyl

A petition (PP 2F1246) was filed by E. I. du Pont de Nemours & Co., Inc., Wilmington, Del. 19898, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for negligible residues of the insecticide methomyl (*S*-methyl *N*-[(methylcarbamoyl)oxy]thioacetimidate) in or on the raw agricultural commodities nectarines and peaches at 5 parts per million.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that:

1. The insecticide is useful for the purpose for which the tolerances are being established.

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies.

3. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (36 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.253 is amended by revising the paragraph "5 parts per million * * *", as follows:

§ 180.253 Methomyl; tolerances for residues.

* * * * *

5 parts per million in or on cabbage, endive (escarole), lettuce, nectarines, peaches, and peas.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, DC 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (10-27-72).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2))

Dated: October 16, 1972.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-18302 Filed 10-26-72;8:47 am]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

2-*tert*-Butylamino-4-Ethylamino-6-Methylthio-*s*-Triazine

Two petitions (PPs 1F1048 and 1F1152) were filed by Geigy Chemical Corp., Ardsley, N.Y. 10502, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for negligible residues of the herbicide 2-*tert*-butylamino-4-ethylamino-6-methylthio-*s*-triazine in or on the raw agricultural commodities barley (grain, green fodder, and straw) and sorghum grain and fodder and forage at 0.1 part per million.

Subsequently, the petitioner withdrew the proposed tolerances on sorghum fodder and forage.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that:

1. The herbicide is useful for the purpose for which the tolerances are being established.

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies.

3. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.265 is revised to read as follows:

§ 180.265 2-*tert*-Butylamino-4-ethylamino-6-methylthio-*s*-triazine; tolerances for residues.

Tolerances are established for negligible residues of the herbicide 2-*tert*-butylamino-4-ethylamino-6-methylthio-*s*-triazine in or on the raw agricultural commodities barley (grain, green fodder, and straw), sorghum grain, and wheat (grain, green fodder, and straw) at 0.1 part per million:

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (10-27-72).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: October 16, 1972.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.72-18304 Filed 10-26-72;8:47 am]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Subpart D—Exemptions From Tolerances

FURFURAL BYPRODUCT

A notice (PP 2E1232) was published by the Environmental Protection Agency in the FEDERAL REGISTER of August 30, 1972 (37 F.R. 17570), proposing establishment of an exemption from the requirement of a tolerance for residues of furfural byproduct (a granular, steam-acid sterilized, lignocellulosic residuum in the extraction of furfural from corn cobs, sugarcane bagasse, cottonseed hulls, oat hulls and rice hulls) when the byproduct is used as an inert diluent or carrier in pesticide formulations applied to growing crops. No comments or requests for referral to an advisory committee were received.

It is concluded that the proposal should be adopted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a (e)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and

the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.1001 is amended by alphabetically inserting a new item in the table in paragraph (d), as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(d) * * *

Inert ingredients	Limits	Uses
* * *	* * *	* * *
Furfural byproduct (a granular steam-acid sterilized, lignocellulosic residuum in the extraction of furfural from corn cobs, sugarcane bagasse, cottonseed hulls, oat hulls, and rice hulls).	.....	Solid diluent, carrier.
* * *	* * *	* * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Enivronmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (10-27-72).

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)).

Dated: October 16, 1972.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-18299 Filed 10-26-72;8:47 am]

Title 45—PUBLIC WELFARE

Chapter II—Social and Rehabilitation Service (Assistance Programs), Department of Health, Education, and Welfare

PART 249—SERVICES AND PAYMENT IN MEDICAL ASSISTANCE PROGRAMS

Federal Financial Participation in Payments for Skilled Nursing Home Services

Current regulations provide that Federal financial participation is available in payments made by a State under its medical assistance program under title XIX of the Social Security Act for skilled nursing home services only if such services are furnished by a facility which meets the conditions specified in § 249.10 (b) (4) (i) of this part. One of these conditions (§ 249.10(b) (4) (i) (*h*)) is that the facility be determined by the title XIX agency to meet all of the standards established under section 1902(a) (28) of the Act as evidenced by an agreement between the title XIX agency and the facility (see § 249.33(a) (2) of this part).

It has been determined that, in the case of a skilled nursing home whose provider agreement has expired or otherwise been terminated, a temporary period of continued Federal financial participation would be in the best interests of individuals eligible for medical assistance for whom arrangements need to be made to facilitate their orderly transfer from such a home to another appropriate facility. The amendment set forth below provides that a State may continue to claim Federal financial participation in payments for skilled nursing home services furnshed by a facility, which no longer has a valid provider agreement, during a period not to exceed 30 days following expiration or termination of such agreement.

Notice of proposed rule-making procedure has been dispensed with for good cause, since delay would be contrary to the interest of beneficiaries of the program, the States, and the public. However, interested persons may submit comments, suggestions, or objections in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201, within a period of 30 days from date of publication of this regulation in the FEDERAL REGISTER. Comments received will be available for public inspection in Room 5121 of the Department's offices at 301 C Street SW., Washington, D.C., on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (202—963-7361). Material submitted will be evaluated and acted upon in the same manner as if this document were a proposal. Until it is revised, however, it shall remain effective, thus permitting the public business to proceed expeditiously.

Section 249.10(b) (4) (i) (*h*) of Chapter II, Title 45, Code of Federal Regulations, is revised to read as follows:

§ 249.10 Amount, duration, and scope of medical assistance.

* * * * *

(b) *Federal financial participation.* * * *

(4) (i) * * *

(*h*) The facility has been determined by the single State agency to meet all of the standards established under section 1902(a) (28) of the Act, as evidenced by an agreement between the single State agency and the facility for the provision of skilled nursing home care and the making of payments under the plan; except that, effective July 1, 1972, with respect to skilled nursing home services furnished on or after such date by a skilled nursing home whose provider agreement expired or was otherwise terminated on or after such date, the State agency may continue to claim Federal financial participation in payments on behalf of eligible individuals for such services furnished by such home during a period not to exceed 30 days starting with the date of expiration or other termination of its provider agreement, but only if such individuals were admitted to the home before the date of expiration or other termination of its provider agreement, and if the State agency makes a showing satisfactory to the Secretary that it has made reasonable efforts to facilitate the orderly transfer of such individuals from such home to another appropriate facility.

* * * * *

(Sec. 1102, 49 Stat. 647, 42 U.S.C. 1302)

Effective date. This revision shall be effective July 1, 1972.

Dated: August 29, 1972.

PHILIP J. RUTLEDGE,
Acting Administrator, Social and Rehabilitation Service.

Approved: October 19, 1972.

ELLIOT L. RICHARDSON,
Secretary.

[FR Doc.72-18353 Filed 10-26-72;8:52 am]

Chapter X—Office of Economic Opportunity

PART 1076—ECONOMIC DEVELOPMENT PROGRAMS

Subpart—Waiver of Non-Federal Share of Program Costs for Certain Title I-D Programs (OEO Instruction 7641)

Chapter X of Title 45 of the Code of Federal Regulations is amended by adding a new Part 1076, which includes a new subpart, reading as follows:

Sec.
1076.1-1 Purpose.
1076.1-2 Applicability of this subpart.
1076.1-3 Background.
1076.1-4 Policy.
1076.1-5 Valuation of non-Federal share.

AUTHORITY: The provisions of this subpart issued under sec. 155, 81 Stat. 690; 42 U.S.C. 2768.

§ 1076.1-1 Purpose.

The purpose of this subpart is to set forth the criteria for waiving the requirement of non-Federal share of program costs for programs carried out with financial assistance pursuant to title I-D of the Economic Opportunity Act of 1964, as amended (EOA).

§ 1076.1-2 Applicability of this subpart.

This subpart is applicable to all grantees which have been awarded financial assistance under title I-D of the EOA.

§ 1076.1–3 Background.

(a) Section 155 of the EOA prescribes two types of non-Federal share requirements. The first requirement relates to the cost of the program including costs of administration. Section 155 permits the Director of OEO to issue regulations establishing objective criteria under which more than 90 percent of the cost of a title I–D program may be supported by Federal assistance. This subpart sets forth those criteria and is limited to the program costs non-Federal share requirements.

(b) The second non-Federal share requirement in section 155 states that where capital investment is required under a contract with a private organization (other than a nonprofit organization) the Federal share of such capital investment shall not exceed 90 percent. That requirement is not affected by this subpart.

§ 1076.1–4 Policy.

(a) *General.* Each recipient of financial assistance under title I–D is ordinarily required to provide from non-Federal sources 10 percent of the cost of operating its program. However, under certain circumstances this requirement may be waived. A request for waiver shall be submitted by the applicant or recipient's Chairman of the Board or comparable official to the Associate Director for Economic Development or other officer having authority to make the grant or otherwise furnish the financial assistance in question (hereinafter referred to as the responsible officer) and a determination shall be made by such officer.

(b) *Operating programs.* The requirement for a non-Federal share of program costs shall be waived in whole or in part where it is shown to the satisfaction of the responsible officer that:

(1) The applicant for financial assistance or recipient of financial assistance has made a vigorous effort to raise the non-Federal share but has not been and will not be able to do so (in whole or in part), and

(2) (i) The per capita income in the community served by the program is less than one-half the per capita income in the United States as a whole. (On the basis of the 1970 census, one-half the per capita income was $1,570 and in February 1972, one-half the estimated per capita income in the United States as a whole was approximately $1,800). For programs operating in Alaska, the figure representing the per capita income for the United States as a whole shall be adjusted upward by 25 percent and in Hawaii by 15 percent to allow for the substantially higher cost of living in those States.

(ii) If the per capita income figures submitted in support of the request for waiver are other than direct U.S. census data, the data source and satisfactory reasons for not using U.S. census data shall be shown. The officer determining the request for a waiver may request a full description of the procedures used in developing such data.

(c) *Support programs.* The requirement of non-Federal share of program costs shall also be waived in whole or in part for programs funded to conduct evaluations or research or to furnish support services to other title I–D programs or to OEO, the Department of Commerce, the Department of Labor or the Department of Agriculture, provided that the applicant for financial assistance has made a vigorous effort to raise the non-Federal share but has not been and will not be able to do so (in whole or in part).

(d) *Procurement contracts.* No non-Federal share is required for procurement contracts. Accordingly no waiver is needed.

§ 1076.1–5 Valuation of non-Federal share.

Non-Federal contributions may be in cash or in-kind, fairly evaluated, including but not limited to plant, equipment, and services. See generally OEO Instructions 6802–1 and 6802–08.

WESLEY L. HJORNEVIK,
Deputy Director.

[FR Doc.72–18343 Filed 10–26–72;8:51 am]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER C—REGULATIONS AFFECTING SUBSIDIZED VESSELS AND OPERATORS

[General Order 116]

PART 294—OPERATING-DIFFERENTIAL SUBSIDY FOR BULK CARGO VESSELS ENGAGED IN CARRYING BULK RAW AND PROCESSED AGRICULTURAL COMMODITIES FROM THE UNITED STATES TO THE UNION OF SOVIET SOCIALIST REPUBLICS

Abatement Determination; Correction

In F.R. Doc. 72–18107, appearing in the FEDERAL REGISTER issue of October 21, 1972 (37 F.R. 22747), and more specifically page 22750 thereof, paragraph (e)(2)(ii) of § 294.6 respecting "Abatement determination" set forth a table following the statement, "The commission attributable to the amount subject to abatement will be deducted from such abatement," which should have been correctly stated as follows:

Freight rate increment	*Percentage*
For the first $0.95 per ton that the rate in subparagraph (1)(ii), exclusive of the rate premium, exceeds the rate in (1)(i), the percentage is	0
For the amount that such excess is between $0.95 per ton and $1.95 per ton, the percentage is	50
For the amount that such excess is over $1.95 per ton, the percentage is	75

By order of the Assistant Secretary of Commerce for Maritime Affairs and the Maritime Subsidy Board.

Dated: October 24, 1972.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.72–18423 Filed 10–26–72;8:56 am]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S. O. 1104, Amdt. 1]

PART 1033—CAR SERVICE

Penn Central Transportation Co. Authorized To Operate Over Tracks of Erie Lackawanna Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 20th day of October 1972.

Upon further consideration of Service Order No. 1104 (37 FR 15307), and good cause appearing therefor:

It is ordered, That: § 1033.1104 *Service Order No. 1104* (Penn Central Transportation Co., George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, trustees, authorized to operate over tracks of the Erie Lackawanna Railway Co.) Service Order No. 1104 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 31, 1973, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., October 21, 1972.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72–18394 Filed 10–26–72;8:56 am]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Upper Souris National Wildlife Refuge, N. Dak.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGSTER (10-27-72).

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NORTH DAKOTA

UPPER SOURIS NATIONAL WILDLIFE REFUGE

Sport fishing on the Upper Souris National Wildlife Refuge, N. Dak., is permitted only on the areas designated by signs as open to fishing. These open areas comprise 7,000 acres and are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, MN 55111. Sport fishing shall be in accordance with all applicable State laws and regulations subject to the following special conditions:

(1) Refuge areas shall be open to the taking of fish from January 1 through March 25, 1973. Closed to all fishing from March 26, 1973, through May 4, 1973. The refuge shall then be open to the taking of fish from May 5, 1973, through March 24, 1974. Boat fishing shall be permitted only from May 5, 1973, through September 30, 1973.

(2) The use of once frozen smelt, perch eyes, and commercially pickled minnows is permitted.

(3) One outboard motor of not more than 10 horsepower may be attached to any boat or floating craft and is to be used for fishing purposes only. Speed limit on the Souris River above the Mouse River Park not to exceed 5 miles per hour.

(4) Legal hook and line equipment for each fisherman while fishing from shoreline and road crossings of Lake Darling and banks of the Mouse (Souris) River, shall consist of one pole equipped with one line to which is attached one hook or lure.

(5) Fish houses and vehicles will not be permitted on river areas below the Lake Darling dam.

(6) Operation of snowmobiles within the refuge boundaries is prohibited.

(7) Refuge is open to public use between the hours of 5 a.m. to 10 p.m. daily.

(8) All owners of watercraft stored on refuge public use areas must secure a special use permit for this purpose. Special use permits are available at the refuge headquarters office. All watercraft must be removed from refuge areas within 3 days after the close of the boating season on September 30.

(9) Fish houses must be removed from the ice no later than February 28 and refuge lands by no later than March 3.

The provisions of this special regulation supplement the regulations which govern fishing on Wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through March 24, 1974.

DON R. PERKUCHIN,
Refuge Manager, Upper Souris National Wildlife Refuge, Foxholm, N. Dak.

OCTOBER 19, 1972.

[FR Doc.72-18283 Filed 10-26-72;8:45 am]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

DIALIFOR

A petition (FAP 1H2589) was filed by Hercules Inc., Wilmington, Del. 19899, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348) proposing establishment of a food additive tolerance (21 CFR Part 121) for combined residues of the insecticide dialifor (*S*-(2-chloro-1-phthalimidoethyl) *O,O*-diethyl phosphorodithioate) and its oxygen analog in dried citrus pulp at 10 parts per million from carryover and concentration after application of the insecticide to the growing raw agricultural commodities citrus fruits.

Subsequently, the petitioner amended the petition by increasing the proposed tolerance for residues of the insecticide to 15 parts per million. (For a related document, see this issue of the FEDERAL REGISTER, page 22982.)

The Reorganization Plan No. 3 of 1970, published in the FEDERAL REGISTER of October 6, 1970 (35 F.R. 15623), transferred (effective December 2, 1970) to the Administrator of the Environmental Protection Agency the functions vested in the Secretary of Health, Education, and Welfare for establishing tolerances for pesticide chemicals under sections 406, 408, and 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346, 346a, and 348).

Having evaluated the data in the petition and other relevant material, it is concluded that the tolerance should be established.

Therefore, pursuant to provisions of the act (sec. 409(c) (1) and (4), 72 Stat. 1786; 21 U.S.C. 348(c) (1) and (4)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Adminstrator to the Deputy Assistant Administrator for Pesticide Programs (36 F.R. 9038), Part 121 is amended by adding the following new section to Subpart C:

§ 121.342 Dialifor.

A tolerance of 15 parts per million is established for combined residues of the insecticide dialifor (*S*-(2-chloro-1-phthalimidoethyl) *O,O*-diethyl phosphorodithioate) and its oxygen analog *S*-(2-chloro-1-phthalimidoethyl) *O,O*-diethyl phosphorothioate in dried citrus pulp when present therein as a result of the application of the insecticide to growing citrus fruits.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (10-27-72).

(Sec. 409(c) (1) and (4), 72 Stat. 1786; 21 U.S.C. 348(c) (1) and (4))

Dated: October 16, 1972.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-18308 Filed 10-26-72;8:48 am]

SUBCHAPTER F—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS OTHER THAN THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

PART 295—REGULATIONS UNDER THE POISON PREVENTION PACKAGING ACT OF 1970

Child Protection Packaging Standards; Extension of Effective Dates

In the FEDERAL REGSTER of February 16, 1972 (37 F.R. 3427), March 25, 1972 (37 F.R. 6184), and April 27, 1972 (37 F.R. 8433), respectively, the Commissioner of Food and Drugs promulgated regulations establishing child protection packaging standards for preparations containing aspirin (21 CFR 295.2(a) (1), effective August 14, 1972), liquid preparations containing methyl salicylate (21 CFR 295.2(a) (3), effective Septem-

ber 21, 1972), and preparations subject to the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 CFR 295.2(a)(4), effective October 24, 1972).

On the basis of a reported survey of retail pharmacists by the editor of "Pharmacy Times," of reports received from members of the Technical Advisory Committee established pursuant to section 6 of the Poison Prevention Packaging Act of 1970, of a report from the National Association of Chain Drug Stores, and of investigations by the Food and Drug Administration, the Commissioner finds that stocks of special packaging for prescription dispensing have not become sufficiently available for retail pharmacists to comply with the above-cited regulations and effective dates. The Commissioner concludes that each said effective date should be extended.

Therefore, pursuant to provisions of the Poison Prevention Packaging Act of 1970 (secs. 2(4), 3, 5, 84 Stat. 1670–72; 15 U.S.C. 1471(4), 1472, 1474) and under authority delegated to the Commissioner (21 CFR 2.120), the effective dates of subparagraphs (1), (3), and (4) of § 295.2(a) are extended to January 22, 1973, only insofar as those subparagraphs apply to drugs dispensed by retail pharmacists pursuant to an order of a licensed medical practitioner authorized to prescribe, provided that such pharmacists have records showing that they ordered adequate quantities of special packaging well in advance of the effective dates of the three regulations involved and that they immediately begin to use special packaging in accordance with those regulations when it is delivered to them.

Dated: October 25, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-18487 Filed 10-26-72;10:07 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[7 CFR Part 1890u]

[AL-111(444)]

RURAL HOUSING LOANS

Proposed Leasehold Interests in Nonfarm Tracts

Notice is hereby given that the Farmers Home Administration is considering a proposed amendment to Subchapter G, Miscellaneous Regulations by the addition of Part 1890u, "Sections 502 and 504 Rural Housing Loans on Leasehold Interests in Nonfarm Tracts." This part authorizes the making of section 502 leasehold interest loans to applicants who own or will own a leasehold interest in a nonfarm tract after the loan is closed, and also permits section 504 loans to be made to applicants who are owner-occupants of a dwelling located on a site held through a leasehold interest. The authority for making section 502 RH leasehold interest loans was formerly in Part 1890s of this chapter and will be removed from this Chapter upon the adoption of this Part 1890u.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed amendment to the Deputy Administrator Comptroller, Farmers Home Administration, U.S. Department of Agriculture, Room 5007, South Building, Washington, DC 20250, within 30 days after the date of publication of this notice in the FEDERAL REGISTER.

All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Deputy Administrator Comptroller, during regular business hours. (8:15 a.m.–4:45 p.m.)

As proposed, the new Part 1890u will read as follows:

PART 1890u—SECTIONS 502 AND 504 RURAL HOUSING LOANS ON LEASEHOLD INTERESTS IN NONFARM TRACTS

Sec.
1890u.1 General.
1890u.2 Definitions.
1890u.3 Policy.
1890u.4 Use of loan funds.
1890u.5 Lease form.
1890u.6 Appraisal of leasehold.
1890u.7 Maximum RH loan and rental charges.
1890u.8 Title clearance and loan closing.
1890u.9 Interest credits.

AUTHORITY: The provisions of this Part 1890u issued under section 510, 63 Stat. 437, 42 U.S.C. 1480; Order of Act. Sec. of Agr., 36 F.R. 21529; Order of Asst. Sec. of Agr. for Rural Development and Conservation, 86 FR. 21529.

§ 1890u.1 General.

This part modifies Subparts A and B of Part 1822 of this chapter. This part authorizes the making of sections 502 and 504 Rural Housing (RH) loans to applicants who hold or will hold leases on nonfarm tracts under conditions specified in this part. Section 502 loans will be made on nonfarm tracts in accordance with Subpart A of Part 1822 of this chapter, as modified by this part. Section 504 loans may be made to the holder of a lease on a nonfarm tract in accordance with Subpart B of Part 1822 of this chapter, as modified by this part.

§ 1890u.2 Definitions.

As used in this part the following definitions will apply: (a) *Applicant.* A person who applies for a section 502 or section 504 RH loan on a nonfarm tract on which he holds or will hold a lease.

(b) *Leasehold.* The rights and interests a person has in the nonfarm building site on which he has a lease.

(c) *Lessor.* The owner of the building site.

(d) *Acquisition cost.* The cost of acquiring the leasehold interest exclusive of any monthly or annual rental charges.

(e) *Office of the General Counsel (OGC).* The Regional Attorney or Attorney in Charge whose service area includes the particular State.

§ 1890u.3 Policy.

The following policies will apply to loans under this part: (a) Loans may be made on leaseholds on land owned by a State, political subdivision, public body, or public agency, on Indian Tribal lands which are not available for purchase, or on land where the State Director determines that long-term leasing of homesites by nonpublic bodies is a well-established practice and such leaseholds are freely marketable in the area.

(b) A loan may be made on a leasehold only when the applicant is unable to obtain fee title to the property.

(c) The applicant should have the right to any extent feasible to acquire the fee title to the property sometime during the life of the loan.

(d) The lease for section 502 loans must have an unexpired term of at least 50 years from the date of the loan closing. The unexpired term of the lease must be not less than 15 years for section 504 loans.

(e) The lease must meet the requirements of § 1822.7(j)(1) of this chapter.

(f) A recorded mortgage constituting a valid and enforceable lien on the applicant's leasehold will be required unless the loan is secured by other than real estate in accordance with Subparts A and B of Part 1822 of this chapter.

§ 1890u.4 Use of loan funds.

(a) Section 502 RH loans may include funds for: (1) Reasonable acquisition cost of the leasehold interest at the time of making the initial RH loan in areas where acquisition charges are customary.

(2) The purchase of the fee title on which a leasehold exists, by means of a subsequent loan provided that all other requirements are met.

(3) Purposes authorized in § 1822.6 of this chapter for nonfarm tracts except for the payment of real estate taxes.

(b) Section 504 RH loan funds will not be used to pay the lease acquisition cost of the leasehold interest in the property or for purposes other than those authorized in § 1822.25 of this chapter. The limitations described in § 1822.27 of this chapter are applicable.

§ 1890u.5 Lease form.

The lease forms used by the Federal Housing Administration and the Veterans Administration in the area, the Bureau of Indian Affairs lease form, No. 5–184, "Lease," and the lease forms used in cases of RH loans on farm leaseholds, should be used by the State Director as guides in developing a lease form or forms for his State. The services of OGC are available for this purpose. In any case in which the lessor wants the option of paying the RH debt in case the borrower defaults, the lease may include such a provision.

§ 1890u.6 Appraisal of leasehold.

When it appears that an RH loan can be made on a leasehold interest, an appraisal of the leasehold will be made in accordance with the procedure applicable to the type of loan being made. In areas where RH loans are likely to be made on leaseholds, sales data on leaseholds should be accumulated for appraisal purposes. When making appraisals on leaseholds, the following guides will be used in determining the value of the leasehold interest:

(a) With OGC assistance where appropriate, study the provisions of the lease to determine what rights and obligations the applicant will have under the lease and whether the lease complies with the policies of this part.

(b) Determine the market value of the property as improved (land and buildings) as though the property were owned under a good and marketable fee title.

(c) Determine the market value of the land on an "as is" basis before any improvements to be financed by the applicant are placed on the property.

(d) Determine the amount of rent that customarily is paid in the area for similar sites leased under similar terms.

(e) Where a lease acquisition cost is involved, determine the market value of the applicant's leasehold by using the market value of comparable leaseholds in the area. The value assigned to a particular leasehold must be reasonable. In making this determination, the appraiser will consider the amount of annual rent

to be paid under the lease plus the annual loan payment required on the portion of the RH loan used to acquire the leasehold. The sum of these should not exceed the amount an applicant would need to pay if he were to obtain a loan to buy a similar site.

(f) The maximum security value for RH loan purposes will be the market value of the improved property less the "as is" value of the nonfarm tract plus any market value of the applicant's leasehold. For example:

Market value of improved property	$15,000
Market value of site "as is"	2,000
Market value of improvements	13,000
Market value of leasehold interest in site, if applicable	800
Market value of property subject to leasehold interest in site	13,800

(g) Form FHA 422-8, "Appraisal Report (Nonfarm Tracts and Small Farms)," will be completed with a full explanation as to how the values were determined. Parts 1 through 5 of this form will be completed to show the factors considered in determining recommended market value of the property as if it were owned in fee simple. Part 6 of the Appraisal Report will contain an explanation of the factors considered in determining the maximum security value for a loan being made on the leasehold.

§ 1890u.7 Maximum RH loan and rental charges.

(a) The amount of the RH loan plus any prior liens against the property will not exceed the maximum security value determined in accordance with § 1890u.6 (f).

(b) The rental must not exceed the rate being paid for similar sites in the area under similar leases.

§ 1890u.8 Title clearance and loan closing.

The services of the OGC will be used in cases involving a mortgage on a leasehold and § 1822.15(b)(1) (iii) and (iv) of this chapter will apply. Whenever a loan on a leasehold is made subject to an agreement with other agencies, the title clearance and loan closing will be handled in accordance with any special conditions in the agreement and Part 1807 of this chapter.

§ 1890u.9 Interest credits.

Interest credits may be granted to section 502 RH borrowers who hold leaseholds. The amount of interest credit will be determined on the same basis as though the borrower owned the property except that the annual rental charges will be included in the interest credit determination block which contains loan payment, taxes, and insurance costs on Form FHA 444-6, "Interest Credit Agreement (Section 502 RH Loans)." Insert the following in the blank space below the entry indicating Annual Real Estate Taxes:

Annual rental charges $_____.

Dated: October 20, 1972.

ARTHUR C. HARMAN, Jr.,
Acting Administrator,
Farmers Home Administration.

[FR Doc.72-18386 Filed 10-26-72;8:55 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 72-SW-65]

ALTERNATE AIRWAY

Proposed Designation

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would establish a north alternate VOR Federal airway No. 76 from Llano, Tex., to Austin, Tex.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 1689, Fort Worth, TX 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

V-76N would be used for Austin westbound departures and for westbound flights overflying Austin. The alignment would be from Llano via INT of Llano 096° T (087° M) and Austin 314° T (305° M) radials to Austin. Radials are based on relocation of Austin VORTAC to the Robert Mueller Airport.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C. on October 19, 1972.

CHARLES H. NEWPOL,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.73-18295 Filed 10-26-72;8:47 am]

[14 CFR Part 71]

[Airspace Docket No. 72-WE-43]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would establish a new transition area at University Airport, Davis, Calif.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, CA 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, CA 90045.

A new VOR/DME instrument approach procedure is being developed for University Airport. The initial approach fix will be established at the Sacramento VOR TAC 280° radial 18 NM DME fix, the final approach radial would also be the Sacramento VORTAC 280° M radial. Additional 700 foot transition area will be required to provide controlled airspace protection for aircraft executing the prescribed procedure while operating between 1,500 and 700 feet above the surface.

In consideration of the foregoing, the FAA proposes the following airspace action.

In § 71.181 (37 F.R. 2143) the following transition area is added:

DAVIS, CALIF.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of University Airport (latitude 38°31'55" N., longitude 121°47'10" W.).

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on October 16, 1972.

ROBERT O. BLANCHARD,
Acting Director, Western Region.

[FR Doc. 72-18296 Filed 10-26-72;8:47 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 72-28; Notice 1]

LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

License Plate Lamp Placement

The purpose of this notice is to propose an amendment to 49 CFR 571.108, Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment*, that would amend the license plate lamp location requirement.

Standard No. 108, by incorporating SAE Standard J587d, *License Plate Lamps*, March 1969, requires the license plate lamp to illuminate the plate "from the top or sides." The intent of this requirement is to preclude illumination of the plate by a lamp mounted in such a manner that its output is easily obscured by accumulation of dirt or snow. But by its general wording, the requirement also precludes the use of bottom-mount designs that do not present this problem. American Motors Corp. has petitioned for an amendment of Standard No. 108 that would make the standard less design restrictive. The NHTSA has determined that the petition has merit, and is issuing this notice in response thereto.

The basic problem is not the position of the lamp with respect to the plate, but the possible obscuring of the lens by dirt or snow either because it faces horizontally upward, or because of a vehicle surface near the lens upon which an accumulation could intercept the light path. There appears to be a need, therefore, for a requirement that (1) meets the substantive problem to a reasonable degree, (2) is not overly broad or design restrictive, and (3) is stated in quantitative terms that clearly delineate what is prohibited.

Under the proposal, the license plate lamp would no longer be required to illuminate the plate "from the top or sides." Instead, any mounting location would be permissible as long as no part of the vehicle to the rear of the license plate's design position were within a defined volume of "unobstructed space." As proposed, the space is bounded by six planes: (1) The plane of the plate, (2) a plane through the top edge of the plate and the point on the lamp lens closest to the center of the plate (the lens center), (3) and (4) two planes, through the left and right edges of the plate and the corresponding points at the lateral extremes of the exposed lamp lens surface, (5) a plane through the bottom edge of the plate and the point 2 inches below the lens center, and (6) a plane through the lens center, perpendicular to the vertical plane through the line from the lens center to the center of the plate, and at an angle of 30 degrees forward of the vertical below the lens center. Comments are particularly invited on the dimensions of the unobstructed space, as related to considerations of cost, benefit, and vehicle design.

Paragraph S4.1.1.14, allowing a bottom mounted lamp until January 1, 1973, would be superseded by the new requirement, which would be added as a paragraph under S4.3, *Location of required equipment*.

In consideration of the foregoing it is proposed that 49 CFR 571.108 be revised by adding a new paragraph S4.3.1. ------ and Figure ------ as follows:

S4.3.1. ------ With reference to each license plate lamp, no part of the vehicle to the rear of the license plate's design position (hereafter referred to as "plate") shall be within the "unobstructed space" shown in Figure ------. The unobstructed space is bounded by the following planes:

(a) The plane of the plate.

(b) A plane passing through the top edge of the plate and the point on the lamp lens closest to the center of the plate (hereafter referred to as lens center).

(c) Two planes, passing through the left and right edges of the plate respectively, and through corresponding points at the lateral extremes of the exposed lamp lens surface.

(d) A plane through the bottom edge of the plate and the point 2 inches directly below the lens center.

(e) A plane passing through the lens center, perpendicular to the vertical plane through the line from the lens center to the center of the plate, and at an angle of 30 degrees forward of the vertical below the lens center.

Proposed effective date: January 1, 1973.

Comments should refer to the docket and notice number and be submitted to the Docket Section, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street SW., Washington, DC 20590. It is requested, but not required, that 10 copies be submitted. All comments received before the close of business on December 19, 1972, will be considered, and will be available in the docket at the above address for examination before and after the closing date. To the extent possible, comments filed after the above date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. Relevant material will continue to be filed, as it becomes available, in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new materials.

This notice of proposed rulemaking is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1392, 1407) and the delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.

Issued on October 18, 1972.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

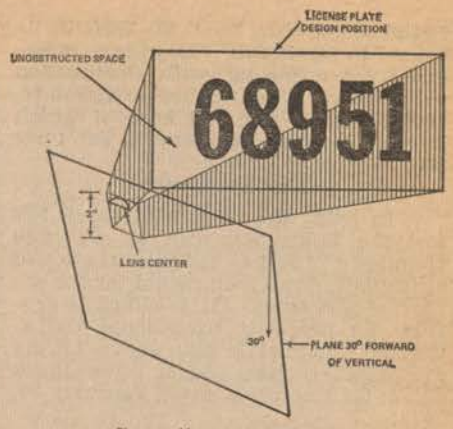

Figure ---- License plate lamp unobstructed space.

[FR Doc.72-18173 Filed 10-26-72;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19617; FCC 72-945]

TELEVISION BROADCAST STATIONS IN NASHVILLE, TENN.

Proposed Table of Assignments

In the matter of amendment of § 73.606(b), *Table of assignments*, Television Broadcast Stations. (Nashville, Tenn.), Docket No. 19617, RM-1944.

1. On March 22, 1972, General Electric Broadcasting Co., Inc. as licensee of commercial television Station WSIX-TV Channel 8 at Nashville, Tenn. (GE) and the Metropolitan Board of Education as licensee of educational television Station WDCN-TV Channel *2 at Nashville, Tenn. (Educators or Board), filed a joint petition with this Commission requesting that the reservation for noncommercial educational use presently attached to Channel *2 in Nashville be deleted from that channel and affixed to Channel 8 in Nashville. In addition, it is requested that the Commission issue appropriate orders looking toward the modification of GE's license for Channel 8 to be modified to specify operation on the proposed nonreserved Channel 2 and for the Educators' license for Channel *2 to be modified to specify operation on the proposed reserved Channel *8. No oppositions were received with respect to the subject petition.

2. Davidson County, Tenn., includes in its entirety the city of Nashville, the population of each being the same, 447,877.[1] Nashville has seven television channels assigned: *2, WDCN-TV, licensed to the Metropolitan Board of Education; 4, WSM-TV (a NBC affiliate), licensed to WSM, Inc.; 5, WLAC-TV (a CBS affiliate), licensed to WLAC-TV, Inc.; 8, WSIX-TV (an ABC affiliate), licensed to General Electric

[1] Population figures cited are from the 1970 U.S. Census unless otherwise specified.

Broadcasting Co., Inc.; 17, WMCV, licensed to Music City Video Corp. (presently not operating, with Commission permission originally issued on March 14, 1971), and 30 and *42 both of which have no applications pending for their use.

THE PROPOSAL

3. In brief, the joint petitioners, GE and the Educators, wish to exchange channels (*2 and 8) for their respective operations. As an inducement for the exchange of channels, GE is willing to provide the proposed educational operation on Channel 8 with the following equipment, services and/or funds as set out in their contract dated February 25, 1972:

* * * (A) The present transmitter utilized by General Electric in the operation of WSIX-TV on Channel 8 along with auxiliary equipment such as demodulators, frequency monitors, diplexers and other equipment required for transmission on Channel 8 * * * all installed by, and at the expense of, General Electric;

(B) A two-bay General Electric type TY98A antenna with a single 6⅛-inch rigid transmission line for operation on Channel 8 (or equivalent approved by Board), and intalled by, and at the expense of, General Electric, on a new heavy duty tower to be erected by General Electric at the present transmitter site of WSIX-TV * * * or, at the sole option of Board, cash in the amount of $107,000;

(C) A General Electric type 4PY33A7 slot diplexer for Channel 8 operation (or equivalent approved by Board), installed by, and at the expense of, General Electric or, at the sole option of Board, cash in the amount of $18,000;

(D) A dual microwave link (Microwave Associates MA-2B or equivalent approved by Board), for transmission of video and audio from the present main studio of WDCN-TV to the transmitter site of WSIX-TV, installed by, and at the expense of, General Electric, or, at the sole option of Board, cash in the amount of $25,000;

(E) Necessary additional transmitter terminal equipment not now available to WDCN-TV installed by, and at General Electric's expense, or, at the sole option of Board, cash in the amount of $15,000; and

(F) Two GE PE-400 Color Cameras, one GE PE-240 Color Film Chain with one RCA TP-7 projector and one Eastman Model 2 Optical Multiplexer, one Ampex VR 1200 Hi-Band Color Video Tape Recorder, and terminal equipment necessary for color installation or, at the sole option of Board, cash in the amount of $410,000.

In addition, GE agrees to assume the following obligations:

* * * (A) General Electric will construct, own, and maintain at its expense, a heavy-duty tower, capable of supporting at least the antennas of Channels 2 and 8, at the present site of WSIX-TV and will execute a 99-year lease, in form satisfactory to counsel for Board, which shall lease to Board, for a consideration of $1 per year, sufficient space on said tower to accommodate Board's Channel 8 antenna, transmission line, and studio-transmitter microwave receiving equipment and such other minor equipment as the parties may agree upon, and sufficient space in General Electric's transmitter building to accommodate Board's Channel 8 transmitter and associated equipment, including an auxiliary transmitter and associated equipment * * *. The lease shall also provide for termination, at the option of General Electric, at any time earlier than 99 years, upon the event that Board, its lawful successors or assigns, ceases to operate Channel 8 as a noncommercial-educational television station as said type of station is defined in Commission § 73.621.

(B) General Electric shall also execute an agreement in form satisfactory to counsel for Board, to operate and maintain, for a period of 99 years, Board's Channel 8 transmitter, antenna system, terminal equipment, and microwave receiver equipment * * *. This Agreement shall also provide for termination, at the option of General Electric, at any time earlier than 99 years, upon the event that Board, its lawful successors or assigns, ceases to operate Channel 8 as a non-commercial-educational television station as said type of station is defined in Commission § 73.621.

(C) General Electric will also execute an Agreement to assign to Board, at any time specified by Board, within 5 years from the date of the Commission's final orders * * * free and clear of all liens and encumbrances, a new transmitter, installed at the expense of General Electric, for operation on Channel 8 or, at Board's sole option, General Electric shall pay to Board cash in the amount of $180,000 * * *.[2]

4. GE views the present operation of Educators on Channel *2 as not using, from a technical view, the full potential of that channel. According to the pleadings the present service areas and populations served by Educators on Channel *2 are:

Square miles served	Population served
Grade A, 2,855	638,103
Grade B, 11,852	1,111,795

Apparently the Board does not have adequate funds to develop the full potential of Channel *2 and therefore it has agreed with GE to use Channel 8 in place of Channel *2 for its educational service in that all of the additional equipment and services described in paragraph 3 supra will make Educators' proposed service on Channel 8 superior, from a technical view, to the Board's present operation on Channel *2. Its proposed service areas and populations for Channel 8, with the equipment and services GE has contracted to provide the Board are:

Square miles served	Population served
Grade A, 7,716	880,391
Grade B, 14,726	1,233,190

The present commercial operation of GE on Channel 8 has the following service areas and population coverage:

Square miles served	Population served
Grade A, 7,988	901,380
Grade B, 15,295	1,256,101

Apparently GE is convinced that these figures result from a maximum operation (for practical purposes) of Channel 8 and believes that Channel *2 can be (because of its lower frequency) much more effective both with respect to extending GE's Grade B coverage and solving the problem of filling in shadow areas within its service area. The topography of the area is one of rough or steeply rolling terrain. The proposed operation of GE on Channel *2 is expected to serve the following areas and populations with a minimum of shadow effect:

Square miles served	Population served
Grade A, 5,300	754,735
Grade B, 17,497	1,343,588

5. In sum, we are confronted in this matter with a situation where an educational service will be improved significantly, from a technical view, by shifting its operation from Channel *2 to Channel 8. Its improvement is made possible only because of the receipt of outside funds, i.e., GE's contributions. It appears that there will be no such improvement of the educational service if the above setout proposal is not adopted since the Board seems to have little or no financial ability to improve its operation, from a technical view, on Channel *2. GE observes that the exchange of channels is, in its view, in the public interest not only because of the above, but in addition, because its commercial operation on Channel *2 (as an ABC affiliate) will make its service more competitive and comparable to the two other commercial network affiliated VHF stations (on Channels 4 and 5) in Nashville. It is maintained that such competitive comparability will strengthen a system of three-network service to the Nashville market thereby providing for a continuation of a provision of a variety of programing and views. In conclusion, GE maintains that the proposed service of the Board on Channel 8, although being technically inferior to the proposed operation of GE on Channel *2, is sufficient for the purposes of an educational service in that the educational service in Nashville does not have the requirement of competing financially with two competitors such as WSM-TV, Channel 4, an NBC affiliate, and WLAC-TV, Channel 5, a CBS affiliate.

6. In view of the foregoing, we consider it in the public interest to explore the proposal of petitioners to delete the reservation for noncommercial educational use from Channel *2 and affix it to Channel 8, both at Nashville, Tenn. Therefore, we proposed the following revision in our Television Table of Assignments (§ 73.606(b) of the Commission's rules and regulations) with respect to the city listed below:

City	Channel No.	
	Present	Proposed
Nashville, Tenn.	*2-, 4+, 5, 8+, 17, 30, *42	2-, 4+, 5, *8+, 17, 30, *42

In addition to this proposal, petitioners are both hereby advised that if it is determined to be in the public interest to

[2] The Board makes the following statement with respect to the cash options which appear in its agreement with GE:

"* * * The Metropolitan Board of Education, of Nashville, Tenn., wishes to assure the Commission that in the event it exercises its option under its agreement with General Electric Broadcasting Co., Inc., to take cash instead of equipment, it would devote that cash exclusively to improvement of the physical facilities of the proposed Channel 8 * * *."

make the above revision in our Television Table of Assignments in this rule making proceeding, a show cause order or other appropriate order will be issued looking toward the requested modification of licenses as part of any final decision in this matter.

7. Authority for the actions proposed herein is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before December 1, 1972, and reply comments on or before December 18, 1972. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

9. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

10. All filings made in this proceeding will be avaiable for examination by interested parties during regular business hours in the Commission's Public Reference Room at its Headquarters in Washington, D.C. (1919 M Street NW.).

Adopted: October 18, 1972.

Released: October 24, 1972.

FEDERAL COMMUNICTIONS COMMISSION,[3]
BEN F. WAPLE,
Secretary.

[FR Doc.72-18355 Filed 10-26-72;8:52 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 544]

[No. 72-1211]

FEDERAL SAVINGS AND LOAN SYSTEM

Age Limitation on Directors and Officers of Federal Savings and Loan Associations

OCTOBER 12, 1972.

Paragraphs (h) and (i) of § 544.6 of the rules and regulations for the Federal Savings and Loan System (12 CFR 544.6 (h), 544.6(i)) are optional bylaw provisions, regarding the maximum age for directors and officers of Federal savings and loan associations. These bylaw provisions have been approved by the Federal Home Loan Bank Board for adoption by any Federal association. Pursuant to such bylaw provisions, directors or officers with "grandfather" rights may be reelected as directors or officers for one additional term after attaining the maximum age specified in the applicable bylaw provision, unless otherwise provided by an association's board of directors by resolution.

The Board now considers it advisable to propose regulations which substitute new optional bylaw provisions for the present optional bylaw provisions. In substance, such new optional bylaw provisions would prohibit the reelection as a director or appointment as an officer of anyone who has attained the maximum age specified in a particular association's bylaws, but would permit such person to serve out the unexpired portion of the term being served on the date such optional bylaw provision becomes effective as to the particular association. Federal associations which have heretofore adopted the present optional bylaw provisions would be permitted to retain their present bylaw provisions. Other Federal associations would have a choice of either applying to the Board for approval of a special bylaw provision, adopting the new optional bylaw provisions or having no bylaw provisions regarding an age limitation for its directors and officers. Accordingly, it is hereby proposed to amend said § 544.6 by revising paragraphs (h) and (i) thereof to read as set forth below.

Interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, DC 20552, by November 27, 1972, as to whether this proposal should be adopted, rejected or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

§ 544.6 Amendment to bylaws.

This section constitutes approval by the Board of any one or more of the following amendments to the bylaws of any Federal association, or of an amendment repealing any provision of such association's bylaws providing for a bonus other than a bonus under the provisions of § 545.3 of this chapter, upon the valid adoption of any such amendment by such association's directors or members as provided in its bylaws, effective when so adopted: *Provided,* That the approval given by this section to the bylaw amendment set forth in paragraph (e) of this section shall be applicable only to a Federal association which has a charter in a form which is not inconsistent with the provisions of § 545.3 of this chapter and which, at the time such bylaw amendment becomes effective, does not have in its bylaws any other provision providing for the payment of a bonus on savings accounts of such association:

* * * * *

(h) *Age limitation on directors.* No person shall be eligible for election, reelection, appointment, or reappointment to the board of directors of the association who is then more than (fill in any age from 65 to 70) years of age. No director shall serve beyond the annual meeting of the association immediately following his attainment of (fill in the same age from 65 to 70 as used above) years of age; except that any such director serving on (fill in date of adoption of bylaw) may complete the unexpired portion of his term being served on such date.

(i) *Age limitation on officers.* No person shall be eligible for election, reelection, appointment, or reappointment as an officer of the association who is then more than (fill in any age from 65 to 70) years of age. No officer shall serve beyond the annual meeting of the association immediately following his attainment of (fill in the same age from 65 to 70 as used above) years of age; except that any such officer serving on (fill in date of adoption of bylaw) may complete the unexpired portion of his term being served on such date.

* * * * *

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[FR Doc.72-18334 Filed 10-26-72;8:50 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Parts 1102, 1104, 1105, 1303, 1306]

[Ex Parte No. 286]

GENERAL INCREASES IN FREIGHT RATES AND PASSENGER FARES

Adequate Notice and Furnishing of Data to Public

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 12th day of September 1972.

Among the responses received to the Commission's original order dated December 11, 1970, instituting the proceeding in Ex Parte No. 270, Investigation of Railroad Freight Rate Structure (preliminary report entered on November 5, 1971, not printed), were those suggesting broader and more effective notice to the public of the nature of and effective dates of proposed general increases in freight rates and charges. In addition, it has recently been suggested by affected persons that more appropriate notice of proposed passenger fare increases be required, and that the proponent carriers should be required to make available complete financial information in a timely manner.

For clarity the issues relating to freight rates and charges and passenger fares will be considered separately.

[3] Commissioner Johnson dissenting; Commissioner H. Rex Lee concurring and issuing a statement, which is filed as part of the original document.

General freight rate increases, rail and motor. In the recent past, the Commission has promulgated procedures in connection with both railroad and motor carrier freight rate increases designed (as stated in the rail carrier procedures) to "aid in the elimination of uncertainty among users of the service as to future transportation costs." The rail procedures were prescribed by order dated August 13, 1970, entitled "Procedures Governing Rail Carrier General Increase Proceedings," and are codified in part 1102 of Title 49 of the Code of Federal Regulations. The motor procedures are codified as part 1104 thereof, and were prescribed in Ex Parte No. MC-82, New Procedures in Motor Carrier Rev. Proc., 339 I.C.C. 324 and 340 I.C.C. 1 (modifications on reconsideration). As pertinent here, in both of those instances we required the carriers, as a condition to obtaining special permission to depart from the tariff circular rules to publish proposed increases in freight rates, to file the schedules not less than 45 days prior to the effective dates. In addition, they are required to submit to the Commission their entire evidentiary case at the time of initiating the proposal, whether by petition, tariff schedules or otherwise, and at the same time to serve a copy thereof upon each party of record in the last corresponding general revenue proceeding.

Subsequent to approval of the most recent general increases in rail rates, we have authorized the increase to be made effective upon not less than 15 days' notice to the public. Our previous policy had been to allow the carriers to institute the new level of rates on not less than 1 day's notice. It had become evident that shippers needed more time to arrange their business in an orderly fashion to meet the changes in rates.

Thus, we have extended the time and scope of the notice required and the dissemination of the basis for proposed general increases in freight rates, as well as providing the public with reasonable notice before the effective date of the action taken. However, because the measures which we have thus far required do not meet the most recent suggestions with respect to even further extension of the scope of notice to the general public, and because we believe also that the public should be notified in understandable terms of changes in rates, we conclude that these matters should be inquired into.

1. Regarding the suggestion that proposed general increases should be made more understandable, it is proposed that the carriers be required to submit a summary thereof in sufficient detail to apprise the public in general of the effect of their proposal. Since they are presently required to file their entire evidentiary case when the proposal is initiated, the submission of such a summary at the same time should not constitute an undue burden.

2. With respect to wider dissemination of notice of proposed general increases, it is proposed, first, to require the carriers to file with the Governor of each State served by the carriers and affected by the proposal, and with each regional and district office of this Commission in each State served by the carrier and affected by the proposal, a copy of the original proposal, whether initiated by petition, by the filing of tariff schedules, or otherwise; a copy of the entire evidentiary case relied upon in support of the proposal; and a copy of the summary referred to above. Certification of such service would be required. If adopted, it is to be hoped that the States would undertake to further publicize the information regarding the proposal. To require any additional service by the carriers would, we believe, impose upon them an unjustifiable burden.

Secondly, it is proposed that the carriers be required to publish notice of the general increase and its essential details in the principal newspaper of general circulation in the capital and the major cities of each State affected by the proposal.

General increases in passenger fares, rail, and motor. We turn now to the matter of additional time and scope of notice and availability of carrier financial data in connection with proposed increases in fares.

First, regarding additional time between the filing and proposed effective date of such increases, the statute permits carriers to publish proposed rate and fare changes of any kind on not less than 30 days' notice. We have no authority, except where the carriers request special permission to depart from tariff circular rules promulgated by the Commission, to alter the 30-day notice provided by statute. As previously indicated in relation to proposed increases in freight rates and charges, we have extended the period of notice required as a condition to the granting of special permission. However, in publishing fare increases the carriers normally comply with the tariff circular rules and, absent any request for special permission, no alteration may be made in the 30-day period of notice by us.

With respect to extending the scope of notice, the present regulations regarding notice in Part 1306.6 of Title 49 of the Code of Federal Regulations require the posting and content of notices of motor carrier fare increases for suburban service as follows:

(e) *Notice of proposed increases in fares for suburban service.* (1) Each carrier of passengers whose passenger operations over regular routes are confined solely to suburban service also shall notify the public of any proposal to increase its local regular-route fares by means of a notice posted in a conspicuous place in each station, agency, or office where tickets are sold and tariffs containing the proposed increased fares are required to be posted, and in a conspicuous place in each vehicle engaged in suburban service; and each other carrier of passengers likewise shall notify the public of any proposal to increase commutation fares for suburban service by means of a notice posted in a conspicuous place in each station, agency, or office where commutation tickets for which an increase is proposed are sold and tariffs containing the proposed increased fares are required to be posted, and in a conspicuous place in each vehicle engaged in the suburban service for which the increase is proposed.

(2) The notice required by subparagraph (1) of this paragraph shall be not less than 120 square inches in size, printed in type sufficiently large to permit of its being read under ordinary conditions by passengers seated in the conveyance, and * * * shall contain substantially the following legend:

Notice of Increased Fares

(Name of carrier)

This carrier has filed with the Interstate Commerce Commission, tariffs proposing increases in fares, effective _____
(Date)

for _____

(Here describe briefly and generally the kind of transportation, points, or localities affected, and the increases proposed)

Further information as to the proposed increases may be obtained from any of this carrier's offices where such transportation is sold or at its general office_____

(Here give street address, city, and telephone number)

Under the law, any interested person may protest to the Commission and request suspension of the increased fares. The Commission's rules require that seven (7) copies of the protest shall be filed at its office in Washington, D.C., at least twelve* (12) days before the effective date of the increased fares and should indicate in what respect fares are considered to be unlawful. The rules also require that a copy of the protest be simultaneously mailed to_____

(Here name the carrier proposing the increased fares)

Part 1303.34 paragraph (j) contains corresponding provisions with respect to rail suburban service.

Although we believe that compliance with those regulations results in some cases in adequate dissemination of notice of increases to the individual passengers, nevertheless we believe that some changes are warranted to expand public notice and to facilitate participation by the public with regard to suburban service. It is proposed that subparagraphs (1) above be amended to require the posting of notices in at least two conspicuous places, one in the forward and one in the rear section of each vehicle engaged in the service; and that subparagraphs (2) be amended to require that each notice shall be not less than 240 square inches in size. Also, it is proposed to require that "further information" as used in subparagraphs (2) shall include the statement of justification, hereinafter referred to, and shall be made available at all points referred to above. Furthermore, it is proposed to omit the requirements that "seven (7) copies of" the protest be filed. In the same paragraphs, it is proposed to change the word "unlawful" to objectionable.

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*In the event the increased fares are published on less than thirty (30) days' notice, the words "at least twelve (12) days" should read "as promptly as possible." [Emphasis added.]

To assure that the communities served by the carrier and affected by the proposal are promptly notified, we propose to require the carriers to serve directly on the principal government official of each such community, and to serve each regional and district office of this Commission in each State served by the carrier and affected by the proposal, a copy of the notice otherwise posted, with certification of such service by the carriers, and to transmit a copy thereof to each daily or weekly newspaper published in the communities affected by the proposal.

While the notice regulations quoted above provide that information regarding proposed increases may be obtained from the carrier, it does not contemplate the furnishing of the complete financial data relied upon by the carriers to support proposed fare increases. See that the information and data thus relied upon by the carriers may be more readily available to interested persons who otherwise would have no access thereto, we propose to require the filing by the carrier, simultaneously with the filing at the Commission, of a copy of its complete statement of justification for the proposed increases with the principal official of the governments of the communities served by the carrier and affected by the proposal, with certification of such service by the carrier.

In addition, we propose to apply the same posting regulations, set forth above, to motor and rail (outside Amtrak operations) intercity and other long-haul service. In consideration of the above matters, and good cause appearing therefor:

It is ordered, That a proceeding be, and it is hereby instituted under authority of sections 6, 13, 204(c), 216(e), and 217 of the Interstate Commerce Act and pursuant to sections 553 and 559 of the Administrative Procedure Act, with the view to adopting the following additions to or modifications of present regulations:

1. Part 1102, sections 1, 2, and 3, Part 1104, sections 1 and 7, of Title 49, Code of Federal Regulations, shall be modified to include requirements of (1) filing and service of a summary of the proposed general increase in freight rates and charges as therein prescribed, (2) filing and service of the original proposal, whether initiated by petition, tariff schedules, or otherwise, a copy of the summary referred to above, and a copy of the carrier's entire evidentiary case upon the Governor of each State served by the carrier and affected by the proposal, with certification of such service by the carrier, and (3) publication of notice of the general increase and its essential details in the newspaper of the capital and major cities of each State affected by the proposal.

2. Amend Part 1303, section 34, paragraph (j), and Part 1306, section 6, paragraph (e), as follows:

In subparagraphs (1) thereof, change the wording to require the posting of notices in at least two conspicuous places, one in the forward and one in the rear section of each vehicle engaged in the service.

In subparagraph (2) thereof, (a) change the wording to require that each notice shall be not less than 240 square inches in size, (b) to require that the "further information" therein referred to shall include the statement of justification to be furnished by the carrier at the time of filing the schedules, and shall be made available at the carrier's offices where such transportation is sold and at its general office; (c) eliminate the wording "seven (7) copies of" (the protests); and (d) change the word "unlawful" to objectionable.

3. To Part 1303, section 34, paragraph (j), add a new subparagraph (5), and to Part 1306, section 6, paragraph (e), add a new subparagraph (5) to provide for service of the notices therein required directly upon the principal government official of each community served by the carrier and affected by the proposal, with certification of such service by the carrier. Add a new subparagraph (6) to each section to provide for the transmission of a copy of the notice thereof to each daily or weekly newspaper published in the communities affected by the proposal.

4. To Part 1303, section 34, add a new paragraph (k), and to Part 1306, section 6, add a new paragraph (f), to require the same posting of the same size notices as in the case of suburban service with respect to increased fares for motor and rail (outside of Amtrak operations) intercity and other long-haul passenger services.

5. Add a new Part 1105, "Procedures to be Followed in Rail and Motor Communication or Suburban Passenger Fare Increases" to require the filing by the carrier, simultaneously with the filing at the Commission, of a copy of its complete statement in justification for the proposed increases with the principal official of the governments of the communities served by carrier and affected by the proposal, with certification of such service by the carriers.

It is further ordered, That all railroads and motor common carriers subject to the jurisdiction of this Commission be, and they are hereby, made respondents in this proceeding.

It is further ordered, That no oral hearing be scheduled for the receiving of testimony unless a need therefor should later appear, but that respondents or any other interested parties may participate in this proceeding by submitting for consideration written statements of verified facts, views, and arguments on the proposals set forth above.

It is further ordered, That any person intending to participate in this proceeding by submitting initial or reply statements, or otherwise, shall notify the Commission by filing with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, on or before November 24, 1972, the original and one copy of a statement of such intention.

Inasmuch as the Commission desires wherever possible (a) to conserve time, (b) to avoid unnecessary expense to the public, and (c) the service of pleadings by parties in proceedings of this type only upon those who intend to take an active part in the proceeding, the statement of intention to participate shall include a detailed specification of the extent of such person's interest, including (1) whether such interest extends merely to receiving Commission releases in this proceeding, (2) whether he genuinely wishes to participate by receiving or filing initial and/or reply statements, (3) if he so desires to participate as described in (2), whether he will consolidate or is capable of consolidating his interests with those of other interested parties by filing joint statements in order to limit the number of copies of pleadings that need be served, such consolidation of interests being strongly urged by the Commission, and (4) any other pertinent information which will aid in limiting the service list to be issued in this proceeding; that this Commission shall then prepare and make available to all such persons a list containing the names and addresses of all parties desiring to participate in this proceeding and upon whom copies of all statements must be filed; and that at the time of service of this service list the Commission will fix the time within which initial statements and replies must be filed.

And it is further ordered, That a copy of this order be served on each party to the proceeding in Ex Parte No. MC-82, on each party to the proceeding in Ex Parte No. 270, and on all known consumer interests, that a copy be deposited in the office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and that statutory notice of the institution of the proceeding be given to the general public by delivering a copy thereof to the Director, Office of the Federal Register, for publication therein.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-18392 Filed 10-26-72;8:56 am]

Notices

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

STATE PLANNING AGENCY GRANTS

Availability of Manual

Notice is hereby given that on August 22, 1972, the Law Enforcement Assistance Administration issued the manual "State Planning Agency Grants." These are the guidelines for Program 16.500 Law Enforcement Assistance—Comprehensive Planning Grants. The objective of this program is to provide matching grants to States for the operation of State Law Enforcement Planning Agencies which develop and administer comprehensive statewide law enforcement improvement plans. Copies of this manual are available and may be obtained from the regional office in any of the following cities:

LEAA—U.S. Department of Justice, 917 John W. McCormack Post Office and Courthouse, Boston, Mass. 02109.

LEAA—U.S. Department of Justice, 26 Federal Plaza, Room 1351, Federal Office Building, New York, N.Y. 10007.

LEAA—U.S. Department of Justice, 928 Market Street, Second Floor, Philadelphia, PA 19107.

LEAA—U.S. Department of Justice, 730 Peachtree Street NE., Room 985, Atlanta, GA 30308.

LEAA—U.S. Department of Justice, O'Hare Office Center, Room 121, 3166 Des Plaines Avenue, Des Plaines, IL 60018.

LEAA—U.S. Department of Justice, 500 South Ervay Street, Suite 313-C, Dallas, TX 75201.

LEAA—U.S. Department of Justice, 436 State Avenue, Kansas City, KS 66101.

LEAA—U.S. Department of Justice, Federal Building, Room 6519, Denver, Colo. 80202.

LEAA—U.S. Department of Justice, 1860 El Camino Real, Fourth Floor, Burlingame, CA 94010.

LEAA—U.S. Department of Justice, 130 Andover Building, Seattle, Wash. 98188.

JERRIS LEONARD,
Administrator.

OCTOBER 24, 1972.

[FR Doc.72-18372 Filed 10-26-72;8:53 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Filing of Plat of Survey

1. Plat of survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska, effective at 10 a.m., December 1, 1972.

SEWARD MERIDIAN, ALASKA

T. 16 N., R. 4 E.,
Sec. 19, lots 1 to 6 inclusive, E½SW¼, S½NE¼SE¼, NW¼SE¼, S½SE¼;
Sec. 20, lots 1, 2, and 3, SW¼SW¼;
Sec. 29, lots 1 to 5 inclusive, NW¼NW¼, S½NW¼, SW¼, SW¼SE¼;
Sec. 30, lots 1, 2, 3, and 4, E½, E½W½;
Sec. 31, lots 1, 2, 3, and 4, E½, E½W½;
Sec. 32, all.
Containing 2,727.12 acres.

2. The lands are bordered on the north by the Knik River, flowing northwest, and by the Chugach Mountains to the south. The soil is thin sandy loam and gravel bars.

The timber is cottonwood, birch, and spruce. The undergrowth is devil's club, rose brier, willow, and alder brush.

Access to the township is an improved dirt road, that enters the township in section 30.

3. The public lands affected by this order are hereby restored to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, rules, and regulations.

4. Inquiries concerning the lands should be addressed to the Manager, Anchorage Land Office, 555 Cordova Street, Anchorage, AK 99501.

CLARK R. NOBLE,
Land Office Manager.

[FR Doc. 72-18280 Filed 10-26-72;8:45 am]

ALASKA

Notice of Filing of Plat of Survey

1. Plat of survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska, effective at 10 a.m., December 1, 1972.

SEWARD MERIDIAN, ALASKA

T. 19 N., R. 9 E.,
Sec. 2, lots 1, 2, and 3, E½NE¼; NW¼SW¼NE¼, S½SW¼NE¼, NW¼, S½;
Sec. 3, lot 1, N½, N½SW¼, SE¼SW¼, SE¼;
Sec. 4, lots 1, 2, 3, 4, 5, and 6, N½, SW¼, N½SE¼.
Containing 1,881.70 acres.

2. The soil is of a consistency. The land varies from level to steep mountainous with elevation ranging from 1,500 to 2,300 feet.

There is one large glacial fed stream that originates at the face of the Matanuska Glacier; its course is northwesterly crossing the north boundary in the NE¼ of section 2. A considerable portion of the NE¼ of section 2 is covered with the Matanuska Glacier ice. There is one meanderable lake, a portion of which lies in the SE¼ of section 4.

Timber for the most part is small spruce, cottonwood, and birch, with alder and willow undergrowth.

3. The public lands affected by this order are hereby restored to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, rules, and regulations.

4. Inquiries concerning the lands should be addressed to the Manager, Anchorage Land Office, 555 Cordova Street, Anchorage, AK 99501.

CLARK R. NOBLE,
Land Office Manager.

[FR Doc.72-18281 Filed 10-26-72;8:45 am]

ALASKA

Notice of Filing of Plat of Survey

1. Plat of survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska, effective 10 a.m., December 1, 1972.

SEWARD MERIDIAN, ALASKA

T. 20 N., R. 9 E.,
Sec. 16, all;
Sec. 26, lots 8 to 12 inclusive, S½SW¼, SW¼SE¼;
Sec. 27, lots 11 to 19 inclusive;
Sec. 28, lots 5 to 11 inclusive;
Sec. 33, all;
Sec. 34, lots 1 to 9 inclusive, NW¼NW¼, S½NW¼, SW¼;
Sec. 35, lots 1 to 12 inclusive, NE¼, NE¼NW¼, E½SE¼.
Containing 2,843.50 acres.

2. The elevation ranges from 1,500 feet in section 28 to 3,200 feet above mean sea level in section 16. A large portion of the E½ of section 35 is covered with the ice flow of the Matanuska Glacier.

There are two large rivers and one large creek in the township, all three of which were meandered. The Matanuska River, the Matanuska Glacier outlet and Glacier Creek are all glacier silt-laden streams and all are subject to rise and fall due to temperature as all three streams are fed by the melting of ice fields and glaciers in the mountains.

Soil for the most part is thin and rocky. Timber is mostly small spruce and cottonwood with some birch. The flood plain of the Matanuska Glacier outlet and Glacier Creek ranges up to 60 chains wide and the high waters have cut numerous channels.

3. The public lands affected by this order are hereby restored to the operation of the public land laws, subject to

any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, rules, and regulations.

4. Inquiries concerning the lands should be addressed to the Manager, Anchorage Land Office, 555 Cordova Street, Anchorage, AK 99501.

CLARK R. NOBLE,
Land Office Manager.

[FR Doc.72-18282 Filed 10-26-72;8:45 am]

CHIEF, BRANCH OF REALTY SERVICES, DIVISION OF TECHNICAL SERVICES UTAH STATE OFFICE

Redelegation of Authority

1. Pursuant to the authority contained in Part I, sec. 1.1(a) of Bureau Order No. 701 of July 23, 1964, as amended, I hereby redelegate to the Chief, Branch of Realty Services, authority to take action on the matters listed in Part II-A.

2. The Chief, Branch of Realty Services, may by written order, designate any qualified employee of the Branch to perform the functions of his position, in an acting capacity, in his absence. Such order will be approved by the Chief, Division of Technical Services.

3. *Effective date.* This redelegation will become effective upon publication in the FEDERAL REGISTER (10-27-72).

ROBERT D. NIELSON,
State Director.

Approved: October 20, 1972.

GEORGE L. TURCOTT,
Associate Director.

[FR Doc.72-18341 Filed 10-26-72;8:51 am]

[Montana 23321]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 18, 1972.

The Department of Transportation, on behalf of the Montana Highway Commission, has filed application, M 23321, for the withdrawal of the lands described below, from location and entry under the mining laws, subject to existing valid claims.

The applicant desires the land for proposed highway construction.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, MT 59101.

The Department's regulations (43 CFR 2351.4(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA

T. 2 N., R. 4 W.,
Sec. 18, lot 3.
T. 3 N., R. 4 W.,
Sec. 32, W½E½ and SE¼SW¼.
T. 4 N., R. 4 W.,
Sec. 4, lots 3 and 4, and S½NW¼; and
Sec. 28, E½.
T. 5 N., R. 4 W.,
Sec. 6, S½SE¼ and SE¼SW¼;
Sec. 8, SW¼, S½NW¼SE¼, and SW¼SE¼;
Sec. 16, W½E½ and E½W½;
Sec. 18, lots 1 and 2, N½NE¼, and NE¼NW¼;
Sec. 21, W½E½ and E½W½;
Sec. 28, E½NW¼ and SW¼; and
Sec. 33, W½.
T. 6 N., R. 4 W.,
Sec. 32, NE¼SW¼.
T. 2 N., R. 5 W.,
Sec. 24, NW¼.
T. 4 N., R. 5 W.,
Sec. 6, lots 1, 2, 4, 5, 6, 7, 8, and 9.
T. 5 N., R. 5 W.,
Sec. 13, lots 2 and 3, W½SE¼, and SW¼;
Sec. 14, SE¼SE¼;
Sec. 23, lots 1, 2, 3, and 6, N½NE¼, and NE¼NW¼;
Sec. 22, lots 1 and 2, NW¼SE¼, and SE¼SW¼;
Sec. 27, lots 3, 4, and 5;
Sec. 28, lots 7, 8, 10, 11, 12, 13, 15, 16, and 17;
Sec. 32, lots 1, 6, 7, 8, 9, 10, and 11; and
Sec. 33, lot 1.

The areas described aggregate 3,924.95 acres in Jefferson County, Mont.

ROLAND F. LEE,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.72-18369 Filed 10-26-72;8:54 am]

[Montana 23322]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 19, 1972.

The Department of Transportation, on behalf of the Montana Highway Commission, has filed application, M 23322, for the withdrawal of lands described below, from location and entry under the mining laws, subject to existing valid claims.

The applicant desires the land for proposed highway construction.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, MT 59101.

The Department's regulations (43 CFR 2351.4(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA

LOLO NATIONAL FOREST

T. 15 N., R. 24 W.,
Sec. 34, SE¼SE¼ and NW¼SW¼.
T. 15 N., R. 25 W.,
Sec. 35, NE¼SE¼.
T. 18 N., R. 29 W.,
Sec. 10, lots 1, 2, 3, 5, 7, 8, and 9;
Sec. 11, SW¼SE¼;
Sec. 13, NW¼SW¼;
Sec. 14, lots 5, 11, 12, 16, and 17; and
Sec. 24, lots 13, 15, and 17.

The areas described aggregate 601.78 acres in Mineral County, Mont.

ROLAND F. LEE,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.72-18370 Filed 10-26-72;8:54 am]

[OR 5205]

OREGON

Opening of Lands

OCTOBER 19, 1972.

1. On September 26, 1972, the Geological Survey issued Cancellation 295 which canceled Power Site Classification

No. 276 of September 5, 1933, in its entirety, on the following described lands:

WILLAMETTE MERIDIAN

T. 1 N., R. 9 E.,
Sec. 1, lot 7;
Sec. 11, SE¼NE¼.
T. 1 N., R. 10 E.,
Sec. 18, SW¼SE¼.

The area described aggregates approximately 123.5 acres.

2. The land in T. 1 N., R. 9 E., sec. 11, SE¼NE¼ is in the Mount Hood National Forest. The other lands have been patented. All of the lands are located in Hood River County.

3. The State of Oregon has been notified by the Geological Survey of its right of selection in accordance with the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818) as amended, and the effective date of the cancellation was set accordingly as January 26, 1973.

4. Beginning at 10 a.m. on January 26, 1973, the national forest land shall be open to such form of disposition as may by law be made of such lands.

5. Inquires concerning the land should be addressed to the Chief, Branch of Lands and Minerals Operations, Post Office Box 2965, Portland, OR 97208.

IRVING W. ANDERSON,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.72-18371 Filed 10-26-72;8:55 am]

Geological Survey

EARTH RESOURCES SURVEY PROGRAM DATA

Notice of Availability

Notice is hereby given that, pursuant to the authority contained in 5 U.S.C. 552, Freedom of Information Act, and in accordance with agreements reached with the National Aeronautics and Space Administration, the Department of the Interior will provide the principal public access for land-oriented users to the data from NASA's ERTS (Earth Resources Technology Satellite) and supporting aircraft programs from its EROS (Earth Resources Observation Systems) Data Center facility in Sioux Falls, S. Dak. All the NASA data are in the public domain upon receipt at the EROS Data Center and copies can be purchased by anyone. The Departments of Commerce and Agriculture will service users in their respective fields of interest (see FEDERAL REGISTER, September 6, 1972, page 18045).

The NASA ERTS programs are experiments in the use of space and remote sensing technology to manage more efficiently Earth's resources and to aid in assessing and understanding changes in our environment. The data being provided will be of interest to researchers and managers in the fields of geography, geology, hydrology, urban planning, land use and natural resources studies to name a few.

EROS DATA CENTER

The EROS Data Center in Sioux Falls, S. Dak., is operated for the Earth Resources Observation Systems program of the Department of the Interior by the Geological Survey to provide access to Earth Resources Technology Satellite (ERTS) imagery, USGS aerial photography, and NASA aircraft data for the general public, domestic government agencies at all levels, and foreign governments. Facilities are available for data storage, retrieval, reproduction, and dissemination.

All products of the EROS Data Center are for sale. Price lists are available on request.

ERTS imagery. ERTS imagery is originally processed at the Goddard Space Flight Center, NASA Data Processing Facility (NDPF). Each scene, covering 10,000 square nautical miles, is imaged multispectrally: three images from the Return Beam Vidicon (RBV) and/or four images from the Multispectral Scanner (MSS). The raw data are System Corrected Images (SYCI) and provided to the Data Center in the form of 70 mm. film. Copies of System Corrected (bulk) individual images are available at contact scale of 1:3, 390,000 or enlarged to scales of 1:1,000,000; 1:500,000; or 1:250,000. System Corrected color composites, derived by processing the three RBV or three of the four MSS images together, are available for selected scenes at scales of 1:1,000,000; 1:500,000; and 1:250,000.

Selected images are further processed by the NDPF into Scene Corrected (precision) images. These images have been rectified to truly orthographic photographs and have been overprinted with the UTM grid. Reproductions of the Scene Corrected images are available at scales of 1: 1,000,000; 1: 500,000; and 1: 250,000. Color composites of some of the Scene Corrected images are available at the same scales.

Catalog and browse microfilms are available for purchase from the Data Center. A single 16 mm. microfilm contains a catalog listing plus one RBV and one MSS image per scene for an 18-day acquisition cycle by the satellite.

NASA aircraft imagery. Imagery and photography obtained by NASA, as part of its Aircraft Program in support of the development of Earth Resources Surveys by aircraft and spacecraft, are processed at the Manned Spacecraft Center and at the Ames Research Center. The data were acquired for specific purposes and to varied specifications as to time, aerial coverage, and sensors, and are primarily of test sites within the continental United States. The Data Center has catalogs and microfilm browse files of this NASA imagery available for inspection. Copies of these images and photographs may be purchased at contact scales, enlargements, or reductions, in color or black-and-white, on film or on paper, in rolls or cut.

NASA Apollo and Gemini photos. The Data Center also will furnish copies of the Apollo and Gemini earth-oriented photographs from those manned spacecraft missions.

USGS aerial photography. Copies of aerial photographs taken by the U.S. Geological Survey primarily for purposes of topographic and geologic mapping, are available from the Data Center. These photographs are at various scales from 1: 12,000 to 1: 60,000, reflecting the specifications of the particular project. A computerized index to the USGS held photographs (available only at the center) and a microfilm browse file (also a sale item) for evaluation of coverage are available at the Data Center.

Magnetic tapes. Computer-compatible magnetic tapes of both ERTS data and NASA Aircraft Program data are available for reproduction through the Data Center. Of the total ERTS data, about 5 percent of the System Corrected MSS and RBV data, and 100 percent of the Scene Corrected data are available in this form. Tapes of data from aircraft program investigations as with NASA aircraft imagery, cover a variety of sites and situations, but all that have been produced are available.

How to place an order. To request data by telephone—from 7 a.m. to 7 p.m., central time:

Call: 605—339-2270 commercial, 605—336-2381 for FTS users.

By letter, write: EROS Data Center, Data Management Branch, Sioux Falls, S. Dak. 57198.

By personal visit, visit: EROS Data Center, 10th and Dakota Avenue, Sioux Falls, S. Dak.

PUBLIC INSPECTION LOCATIONS

The Department of the Interior will maintain several locations throughout the United States and the Canal Zone where interested users can inspect the 16 mm. microfilm browse files of the NASA ERTS coverage. Data abstracts and coverage catalogs will also be available. Order forms, procedures, and price lists will be posted at each site. Generally, the hours for inspection will be Monday through Friday, 9 a.m. to 3 p.m., except on legal holidays.

Locations of browse files:

Eros Data Center, U.S. Geological Survey, 10th and Dakota Avenue, Sioux Falls, S. Dak. 57198, Phone 605-339-2270.[1]

Map Information Office, U.S. Geological Survey, Room B-310 GSA Building, 18th and F Streets NW., Washington, DC 20242, Phone 202—343-2611.

Susan Moorlag, CARETS Information Center, 1717 H Street NW., Room 837, Washington, DC 20242, Phone 202—343-5985.

Dr. Janice Whipple, Water Resources Division, U.S. Geological Survey, Room 343, Post Office and Court House Building, Post Office Box 948, Albany, NY 12201, Phone 518—472-3107.

Mr. Lincoln Page, U.S. Geological Survey, Fifth Floor, 80 Broad Street, Boston, MA 02110, Phone 617—223-7202.

Mr. Gary North, EROS Program Assistance Office, Room B-210, Building 1100, USGS/Mississippi Test Facility, Bay St. Louis, Miss. 39520, Phone 601—688-3541.

Mr. A. E. Letey, Region Engineer, Topographic Division, U.S. Geological Survey, Room 2404, Building 25, Denver Federal Center, Denver, Colo. 80225, Phone 303—234-2351.

Mr. Herbert H. Schumann, Water Resources Division, U.S. Geological Survey, Room 5107, Federal Building, Phoenix, Ariz. 85025, Phone 602—261-3188.

Miss Lucy E. Birdsall, Public Inquiries Office, U.S. Geological Survey, Room 7638, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012, Phone 213—688-2850.

Mrs. Eva M. Raymond, Public Inquiries Office, U.S. Geological Survey, Room 678, U.S. Court House Building, West 920 Riverside Avenue, Spokane, WA 99201, Phone 509—456-2524.

Miss Margaret L. Erwin, Public Inquiries Office, U.S. Geological Survey, 108 Skyline Building, 508 Second Avenue, Anchorage, AK 99501, Phone 907—277-0577.

Mr. Roy R. Mullen, Region Engineer, Topographic Division, U.S. Geological Survey, 345 Middlefield Road, Menlo Park, CA 94025, Phone 415—323-8111.

[1] Also complete reproduction facility for all Earth Resources Survey data.

HQ Inter-American Geodetic Survey, Drawer 934, Fort Clayton, Canal Zone, Phone 117-1201, Panama Routine 833-227.

Mr. A. C. McCutchen, Region Engineer, Topographic Division, U.S. Geological Survey, 961 Pine Street, Rolla, MO 65401, Phone 314—364-3680.

Mr. Jon S. Beazley, State Topographic Engineer, Florida Department of Transportation, State Topographic Office, Tallahassee, Fla. 32304, Phone 904—599-6212.

U.S. Bureau of Land Management, Director, Portland Service Center, Post Office Box 3681, Portland, OR 97208, Phone 503—234-4001.

EROS Program Library, U.S. Geological Survey, Washington, D.C. 20242, Phone 202—343-7500.

William S. Massa, Chief, Maps and Surveys Branch, Tennessee Valley Authority, 200 Haney Building, 311 Broad Street, Chattanooga, TN 37401, Phone 615—755-2133.

U.S. Geological Survey Library, 601 East Cedar Avenue, Flagstaff, AZ 86001, Phone 602—774-1330.

V. E. McKELVEY,
Director.

OCTOBER 18, 1972.

[FR Doc.72-18347 Filed 10-26-72;8:52 am]

Office of the Secretary

[DES 72-106]

PROPOSED CUYAHOGA RIVER VALLEY ACQUISITION

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the proposed Cuyahoga River Valley Acquisition Project and invites written comments within forty-five (45) days of this notice.

The environmental statement considers the acquisition of approximately 14,500 acres of land in the Cuyahoga River Valley in Summit and Cuyahoga Counties, Ohio. Acquisition will be by the Ohio Department of Natural Resources and will help maintain the open space character of the valley. Also, the acquisition will be used by the general public for picnicking, hiking, field sports, and other outdoor recreation activities. The project site lies between Cleveland and Akron.

Copies are available for inspection at the following locations:

Bureau of Outdoor Recreation, Lake Central Regional Office, 3853 Research Park Drive, Ann Arbor, MI 48104.

Bureau of Outdoor Recreation, Division of State Programs, Department of the Interior, Washington, D.C. 20240.

Ohio Planning and Development Clearinghouse, Office of the Governor, Box 1001, Columbus, OH 43215.

Northeast Ohio Areawide Coordinating Agency, 387 The Arcade, Cleveland, OH 44114.

Copies may be obtained by writing the National Technical Information Service, Department of Commerce, Springfield, Va. 22151. Please refer to the statement number above.

Dated: October 17, 1972.

W. W. LYONS,
Deputy Assistant Secretary of the Interior.

[FR Doc.72-18342 Filed 10-26-72;8:51 am]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

RHODE ISLAND

Designation of Areas for Emergency Loans

It has been determined that property loss or damage or injury in certain counties in Rhode Island has resulted from natural disasters caused by excessive rainfall in the spring and prior to Hurricane Agnes and additional excessive rainfall caused by Hurricane Agnes. The following counties of Rhode Island are affected by such natural disasters:

Bristol.	Providence.
Kent.	Washington.
Newport.	

It has further been determined that in the above counties of Rhode Island a general need for credit exists. Therefore, these counties are declared eligible for low-interest rate disaster loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Laws 91-606 and 92-385. Applications for such loans must be received by this Department prior to July 1, 1973, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans.

The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 20th day of October, 1972.

EARL L. BUTZ,
Secretary.

[FR Doc.72-18387 Filed 10-26-72;8:55 am]

Packers and Stockyards Administration

EAST ALABAMA LIVESTOCK SALE ET AL.

Proposed Posting of Stockyards

The Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

AL-154 East Alabama Livestock Sale, Oxford, Ala.

GA-175 Bleckley County Feeder Pig Sale, Cochran, Ga.

IA-243 Farmers Livestock Auction Co., Inc., Oelwein, Iowa.

MO-230 Southwest Missouri Livestock Assn., Sarcoxie, Mo.

MO-229 West Plains Livestock Auction, West Plains, Mo.

SD-160 Presho Livestock Auction Company, Presho, S. Dak.

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, Washington, D.C. 20250, within 15 days after publication of this notice in the FEDERAL REGISTER.

All written submissions made pursuant to this notice shall be made available for public inspection at such times and places in a manner convenient to the public business (7 U.S.C. 1.27(b)).

Done at Washington, D.C., this 20th day of October 1972.

G. H. HOPPER,
Chief, Registrations, Bonds, and Reports Branch Livestock Marketing Division.

[FR Doc.72-18332 Filed 10-26-72;8:50 am]

Soil Conservation Service

WATERSHED PLANNING

Notice of Authorization

This provides a notice of the authorization dated October 20, 1972, to concerned State conservationists of the Soil Conservation Service for providing planning assistance to specified local organizations on the indicated watersheds. The State conservationist now may proceed with the investigations and surveys, as may be necessary, to develop watershed work plans under authority of the Watershed Protection and Flood Prevention Act (Public Law 83-566).

Environmental statements will be prepared, pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, concurrently with the preparation of the proposed watershed work plans. Environmental statements will be made available to the general public, filed with the Council on Environmental Quality, and the notice of availability published in the FEDERAL REGISTER.

Persons interested in any of these projects may contact the local organizations or the concerned State conservationist as indicated below:

Georgia: Riverbend-Baconton Watershed; 119,709 acres; Colquitt, Dougherty, Mitchell, and Worth Counties; sponsors—Middle South Georgia Soil and Water Conservation District, Dougherty County Board of Commissioners, Worth County Commissioners of Roads and Revenues, Colquitt County Board of Commissioners, Mitchell County Board of Commissioners, and Flint River Soil and Water Conservation District; Mr. Charles W. Bartlett, State Conservationist, Soil Conservation Service, Heritage Building, 468 North Milledge Avenue, Post Office Box 832, Athens, GA 30601.

Indiana: Goose Creek Watershed; 2,574 acres; Cass County; sponsors—Cass County Soil and Water Conservation District, Cass County Drainage Board, Cass County Park and Recreation Board, and the city of Logansport; Mr. Thomas B. Evans, State Conservationist, Soil Conservation Service, Atkinson Square West, Suite 2200, 5610 Crawfordsville Road, Indianapolis, IN 46224.

Maryland: Piscataway Creek Watershed; 42,000 acres; Prince George's County; sponsors—Maryland National Capital Park and Planning Commission, Prince George's County, and Prince George's Soil Conservation District; Mr. Graham T. Munkittrick, State Conservationist, Soil Conservation Service, Hartwick Building, Room 522, 4321 Hartwick Road, College Park, MD 20740.

New York: Deposit Watershed; 67,221 acres; Broome, Chenango, and Delaware Counties; sponsors—Broome County Soil and Water Conservation District, County of Broome, Delaware County Soil and Water Conservation District, and Delaware County Board of Supervisors; Mr. Albert C. Addison, State Conservationist, Soil Conservation Service, Midtown Plaza, Room 400, 700 East Water Street, Syracuse, NY 13210.

North Dakota: Upper Maple River Watershed (amendment); 232,192 acres; Barnes, Cass, and Steele Counties; sponsors—Barnes County Soil Conservation District, Steele County Soil Conservation District, and West Cass Soil Conservation District; Mr. Charles A. Evans, State Conservationist, Soil Conservation Service, Federal Building, Post Office Box 1458, Bismarck, ND 58501.

Dated: October 20, 1972.

KENNETH E. GRANT,
Administrator,
Soil Conservation Service.

[FR Doc.72-18331 Filed 10-26-72;8:50 am]

DEPARTMENT OF COMMERCE

National Bureau of Standards

RECOMMENDED STANDARD

Notice of Circulation

The National Bureau of Standards is giving public notice and circulating for public comment the following recommended standard (TS) for a determination of its acceptance to manufacturers, distributors, and users: TS 213, "Cellulosic Fiber Insulating Board."

This circulation is being made in accordance with the provisions of § 10.5 of the Department of Commerce Procedures for the Development of Voluntary Product Standards (15 CFR Part 10, as amended; 35 F.R. 8349 dated May 28, 1970).

Copies of this recommended standard may be obtained from the Office of Engineering Standards Services, National Bureau of Standards, Washington, D.C. 20234. Written comments or objections concerning the standard should be addressed to the Office of Engineering Standards Services within 45 days following publication of this notice.

Dated: October 20, 1972.

LAWRENCE M. KUSHNER,
Acting Director.

[FR Doc.72-18333 Filed 10-26-72;8:50 am]

National Oceanic and Atmospheric Administration

[Docket No. C-371]

PHILLIP L. GLENN

Notice of Loan Application

OCTOBER 18, 1972.

Phillip L. Glenn, Post Office Box 174, Sausalito, CA 94965, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used wood vessel about 60 feet in length, to engage in the fishery for salmon, albacore, bottom fish, Dungeness crab and shrimp off the coasts of California, Oregon, and Washington.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

PHILIP M. ROEDEL,
Director.

[FR Doc.72-18278 Filed 10-26-72;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ADVISORY COMMITTEES

Notice of Meetings

Pursuant to Executive Order 11671, the Food and Drug Administration announces the following public advisory committee meetings and other required information for the month of November 1972 in accordance with provisions set forth in section 13(a) (1) and (2) of that order:

Committee Name, Date, Time, Place and Type of Meeting and Contact Person

1. Pulmonary-Allergy and Clinical Immunology Advisory Committee; November 1, 9 a.m. to 10 a.m., Closed—10 a.m. to closing; L, 5600 Fishers Lane, Rockville, MD; Open—9 a.m. to 10 a.m.; Closed—10 a.m. to closing; David Lidd, M.D., Room 10B-05, 5600 Fishers Lane, Rockville, MD 20852, 301—443-3830.

Purpose. Advises regarding safety and efficacy of drugs employed in the treatment of pulmonary disease and diseases with allergic and/or immunologic mechanisms.

Agenda. Evaluation of significance of safety problems and adequacy of efficacy data in connection with NDA's on Intal and Aarane.

2. Surgical Drugs Advisory Committee; November 6, 9 a.m., Parklawn Building, Conference Room E, 5600 Fishers Lane, Rockville, MD; Open—9 a.m. to 10 a.m., Closed—10 a.m., to closing; Samuel Sunnenblick, M.D., Room 12B-25, 5600 Fishers Lane, Rockville, MD 20852, 301—443-3560.

Purpose. Advises regarding safety and efficacy of drugs employed in surgery.

Agenda. Orientation of members and discussion of hyperalimentation-reported complications, guidelines for clinical investigation of large volume parenterals, and polyglycolic acid sutures.

3. Panel on Review of Cough, Cold, Allergy, Bronchodilator, and Antiasthmatic Agents; November 6, 9 a.m., Conference Room A, Parklawn Building, 5600 Fishers Lane, Rockville, MD; Open—9 a.m. to 11 a.m., Closed—11 a.m., to closing; Thomas DeCillis, Room 10B-06, 5600 Fishers Lane, Rockville, MD 20852, 301—443-3504.

Purpose. Reviews and evaluates available information concerning safety and effectiveness of active ingredients of currently marketed drug products containing these agents.

Agenda. Orientation of members and review of material to be evaluated.

4. Neuropharmacology Advisory Committee; November 13 and 14, 9 a.m., Parklawn Building, Conference Room M, 5600 Fishers Lane, Rockville, MD; Closed; Barrett Scoville, M.D., Room 10B-45, 5600 Fishers Lane, Rockville, MD 20852, 301—443-4020.

Purpose. Advises regarding safety and efficacy of drugs employed in neuropharmacology.

Agenda. Reports of work groups on tardive dyskinesia, generic equivalence of psychotropic drugs, guideline on testing of antidepressant and anti-anxiety agents, and geriatric guidelines.

5. Diagnostic Products Advisory Committee; November 16 and 17, 9 a.m., Parklawn Building, Conference Room K, 5600 Fishers Lane, Rockville, MD; Open—except 9 a.m. to 12 a.m., November 17; Thomas Hayes, M.D., Room 8-71, 5600 Fishers Lane, Rockville, MD 20852, 301—443-1190.

Purpose. Reviews and evaluates information pertaining to performance standards for selected diagnostic products, evaluates and recommends appropriate reference methodologies and standards of precision and accuracy for measuring such products.

Agenda. Orientation of members and review of the Federal Food, Drug, and Cosmetic Act and related regulations, proposed regulations and summary of comments received.

6. Panel of Review of Sedative, Tranquilizer, and Sleep Aid Agents; November 17, 9 a.m., Parklawn Building, Conference Room M, 5600 Fishers Lane, Rockville, MD; Open—

9 a.m. to 11 a.m., Closed—11 a.m., to closing; Michael Kennedy, Room 10B-06, 5600 Fishers Lane, Rockville, MD 20852, 301—443-3504.

Purpose. Reviews and evaluates available information concerning safety and effectiveness of active ingredients of currently marketed drug products containing these agents.

Agenda. Orientation of members and review of material to be evaluated.

7. Panel on Review of Antimicrobial Agents; November 19, 20, and 21, 9 a.m., Parklawn Building, Conference Room A, 5600 Fishers Lane, Rockville, MD; Closed; Michael Kennedy, Room 10B-06, 5600 Fishers Lane, Rockville, MD 20852, 301—443-3504.

Purpose. Reviews and evaluates available information concerning safety and effectiveness of active ingredients of currently marketed drug products containing antimicrobial agents.

Agenda. Continuing review of over-the-counter antimicrobial agents under investigation.

8. Radiation Bio-Effects and Epidemiology Advisory Committee; November 28 and 29, 9 a.m., Room 400, 12720 Twinbrook Parkway, Rockville, MD; Open—except closed afternoon of November 29; Dr. Richard Fred, Room 2, 12720 Twinbrook Parkway, Rockville, MD 20852, 301—443-2358.

Purpose. Advises on total research program of laboratory and epidemiology studies of the biological effects and health implications of exposure to radiation.

Agenda. Orientation of members and discussion of intramural and extramural research activities of the Bureau of Radiological Health.

9. National Advisory Drug Committee; November 30 and December 1, 9 a.m., Parklawn Building, Conference Room E, 5600 Fishers Lane, Rockville, MD; Open; Albert Esch, M.D., Room 7-75, 5600 Fishers Lane, Rockville, MD 20852, 301—443-4500.

Purpose. Advises the Commissioner of Food and Drugs on policy matters of national significance relating to safety and effectiveness of drugs and serves as a forum for exchange of views and recommendations.

Agenda. Review of new drug development and evaluation in the United States. Participation of speakers from industry, Congress, and consumer groups.

A list of committee members and summary minutes of the meetings may be obtained from the contact person for the committee, both for meetings open to public participation and those meetings closed to the public in accordance with section 13(d) of Executive Order 11671 and the Secretary's notice of determination of September 27, 1972, published in the FEDERAL REGISTER of October 5, 1972 (37 F.R. 20995).

Dated: October 25, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-18418 Filed 10-26-72;8:56 am]

National Institutes of Health

NATIONAL HEART AND LUNG INSTITUTE

Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the Thrombosis Advisory Committee, November 10, 1972, at 10 a.m., National Institutes of Health, Building 31, Conference Room 2. The agenda will include the role of antiplatelet aggregating drugs in prevention of myocardial infarction, clinical trial in venous thrombosis and programs for the Specialized Centers of Research in Thrombosis. The meeting will be open to the public from 10 a.m. to 5 p.m.

Name of the person from whom rosters of committee members and/or summary of the meeting may be obtained: Dr. James M. Stengle, National Institutes of Health Building 31, Room 4AO3.

JOHN F. SHERMAN,
Deputy Director, National Institutes of Health.

OCTOBER 20, 1972.

[FR Doc.72-18286 Filed 10-26-72;8:46 am]

NATIONAL HEART AND LUNG INSTITUTE

Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the National Heart and Lung Institute Board of Scientific Counselors, November 3 and 4, 1972, National Institutes of Health, Building 10, Room 7N214. The agenda includes presentations of current research by scientific staff; a tour of the Cardiology Branch facilities; and a presentation reviewing recent changes in the organization of the Institute, by Dr. Cooper, NHLI Director. The meeting will be open to the public from 9 a.m. to 5 p.m., November 3, and from 9 a.m. to 12:30 p.m. on November 4.

Name of the person from whom rosters of Board members and/or summary of the meeting may be obtained: Dr. Donald S. Frederickson, National Institutes of Health, Building 10, Room 7N214.

JOHN F. SHERMAN,
Deputy Director, National Institutes of Health.

OCTOBER 20, 1972.

[FR Doc.72-18288 Filed 10-26-72;8:46 am]

NATIONAL INSTITUTE OF ARTHRITIS, METABOLISM, AND DIGESTIVE DISEASES

Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the Research Career Program Committee, October 31-November 1, 1972, at 9 a.m., National Institutes of Health, Building 31, Conference Room 6. This meeting will be open to the public from 9 a.m. to 10 a.m. on October 31 to discuss administrative reports, and closed to the public from 10 a.m. on October 31 to 3 p.m. on November 1, to review, discuss, and evaluate and/or rank grant applications in accordance with section 13(d) of Executive Order 11671 and the Secretary's determination.

Name of the person from whom rosters of committee members, summary of the meeting, and other information pertaining to the meeting may be obtained: Mr. Victor Wartofsky, Information Officer, NIAMDD, National Institutes of Health, Building 31, Room 9A04, Bethesda, Md., (301) 496-3583.

JOHN F. SHERMAN,
Deputy Director, National Institutes of Health.

OCTOBER 20, 1972.

[FR Doc.72-18285 Filed 10-26-72;8:46 am]

NATIONAL INSTITUTE OF DENTAL RESEARCH

Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the National Advisory Dental Research Council, November 27 and 28, 1972, National Institutes of Health, Building 31-C, Conference Room 8. This meeting will be open to the public from 9:30 a.m. to approximately 12:30 p.m. on November 27. At that time items of interest will be reviewed by the Director, National Institute of Dental Health. The intramural research activities will be reported on by Dr. Richard Greulich, and Dr. Harold Margolies, Director of Health Services and Mental Health Administration Regional Medical Programs Service, will present a summary of this program for informational purposes only.

This meeting will be closed to the public from 1:30 p.m., November 27 to adjournment on November 28, 1972, to review, discuss and evaluate grant applications in accordance with section 13(d) of Executive Order 11671 and the Secretary's determination.

The Executive Secretary from whom substantive information may be obtained is:

Dr. Clair L. Gardner, Deputy Director and Associate Director of Extramural Programs, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 503, Bethesda, Md. 20014.

JOHN F. SHERMAN,
Deputy Director, National Institutes of Health.

October 20, 1972.

[FR Doc.72-18287 Filed 10-26-72;8:46 am]

NATIONAL LIBRARY OF MEDICINE

Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the Board of Regents, November 20-21, 1972, at 9 a.m., in the Library's Board Room. This meeting will be open to the public from 9 a.m. to 12 noon, November 20, 1972, to discuss administrative matters and to hear a report on developments in the Reference Services Division. It will be closed to the public from 12 noon to adjournment on November 20 and all day November 21, to review, discuss, and evaluate and/or rank grant applications in accordance with section

13(d) of Executive Order 11671 and the Secretary's determination.

The Information Officer, who will furnish summaries of both the open and closed meeting portions and a roster of board members, is:

Mr. Robert B. Mehnert, Special Assistant to the Director for Communications Media, National Library of Medicine, Room M-122, 8600 Rockville Pike, Bethesda, MD 20014, Telephone 496-6308.

The Executive Secretary from whom substantive information may be obtained is:

Dr. Martin M. Cummings, Director, National Library of Medicine, Room M-142, 8600 Rockville Pike, Bethesda, MD 20014, Telephone 496-6221.

October 19, 1972.

JOHN F. SHERMAN,
Deputy Director,
National Institutes of Health.

[FR Doc.72-18284 Filed 10-26-72;8:46 am]

Office of Education

AUDIT HEARING PROCESS

Establishment of Title I Audit Hearing Board

Pursuant to the authority contained in sections 201 and 204 of Reorganization Plan No. 1 of 1939 (4 F.R. 2728, 53 Stat. 1424), as amended by section 5 of Reorganization Plan No. 1 of 1953 (18 F.R. 2053, 67 Stat. 631), 20 U.S.C. 2; title I of the Elementary and Secondary Education Act, 20 U.S.C. 241a; and section 434 of the General Education Provisions Act, formerly section 424 of the General Education Provisions Act, 20 U.S.C. 1232c as redesignated by section 301(a) of the Education Amendments of 1972, there is hereby established within the Office of Education a title I Audit Hearing Board as set forth below from which Audit Hearing Panels will be selected for the purpose of reviewing and providing hearings upon final audit determination made in the administration of title I of the Elementary and Secondary Education Act programs by the Office of Education.

The Department of Health, Education, and Welfare is currently studying the establishment of a Department-wide mechanism for consideration of grantee appeals from audit and other administrative determinations which may be applicable to audit determinations under title I. In view of the current pendency of a substantial number of audit reports and determinations (some involving relatively large amounts of funds) under title I, it is necessary and appropriate that a procedure for finally resolving these pending audit matters be established at this time.

OFFICE OF EDUCATION TITLE I AUDIT HEARING BOARD

Sec.
1. Scope.
2. Definitions.
3. Audit Hearing Board; Audit Hearing Panel.
4. Determinations subject to the jurisdiction of the Board.
5. Submission.
6. Effect of submission.
7. Substantive and procedural rules.
8. Hearing before panel or a hearing officer.
9. Initial decision; final decision.
10. Separation of functions.

SECTION 1—*Scope.* This notice applies to final audit determinations made by the Office of Education after June 30, 1971, with respect to programs funded under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 241e). For the purpose of this notice, an audit determination by the Office of Education shall be considered final only after the grantee has been provided an opportunity to comment on a preliminary audit determination and has been notified in writing that a final audit determination has been made with respect to the matters included in such preliminary determination.

(20 U.S.C. 241a. 1232c)

SEC. 2—*Definitions.* For purposes of this notice—

(a) "Board" means the Office of Education Title I Audit Hearing Board, as described in paragraph (a) of section 3.

(b) "Board Chairman" means the Board member designated by the Commissioner to serve as Chairman of the Board.

(c) "Panel" means an Audit Hearing Panel, as described in paragraph (b) of section 3.

(d) "Panel Chairman" means a member of an Audit Hearing Panel who has been designated as Chairman of such Panel by the Board Chairman.

(e) The terms "Department" and "Departmental" refer to the Department of Health, Education, and Welfare.

(f) "Commissioner" means the U.S. Commissioner of Education.

(g) "Grantee" means a State educational agency to which payments have been made under section 143 of the Elementary and Secondary Education Act.

(h) "Title I" means Title I of the Elementary and Secondary Education Act (20 U.S.C. 241a).

(20 U.S.C. 241a, 1232c)

SEC. 3—*Audit Hearing Board; Audit Hearing Panel.* (a) There is established, within the Office of the Commissioner, an Office of Education Title I Audit Hearing Board the members of which shall be designated by the Commissioner to perform the functions described in this notice. Subject to the limitations set forth in section 10 of this notice, persons who are officers or employees of the Department or of its constituent agencies as well as other Federal officers or employees may serve on the Board. Persons who are not otherwise full-time employees of the Federal Government may, in accordance with appropriate arrangements, also be asked to serve on the Board. Service on the Board may be on a regluar or an intermittent basis.

(b) The Commissioner shall designate one of the members of the Board to be Chairman. The Board Chairman shall designate Audit Hearing Panels for the consideration of one or more cases submitted to the Board. Each such Panel shall consist of not less than three members of the Board. The Board Chairman may, at his discretion, constitute the entire Board to sit as a Panel for any case or class of cases. The Board Chairman shall designate himself or any other member of a Panel to serve as Chairman.

(20 U.S.C. 241a, 1232c)

SEC. 4—*Determinations subject to the jurisdiction of the Board.* (a) Subject to section 5 and paragraph (b) of this section, the Board shall have jurisdiction in those cases in which a grantee under Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 241e et seq.) has been notified in writing that a final determination has been made by the Office of Education that an expenditure not allowable under the grant has been made by the grantee (or by a subgrantee to which it has made a payment under Title I) or that the grantee (or such subgrantee) has otherwise failed to discharge its obligation to account for grant funds.

(b) A determination described in paragraph (a) may not be considered by the Board unless the Deputy Commissioner for School Systems of the Office of Education has notified the grantee in writing of such determination. A notification described in the preceding sentence shall set forth the reasons for the determination in sufficient detail to enable the grantee to respond and shall inform the grantee of his opportunity for review under this notice. In the case of final audit determinations made prior to the effective date of this notice, the Deputy Commissioner for School Systems may designate those notifications which have previously been made to grantees and which he deems to comply with this paragraph. Upon receipt of notice of such a designation, the grantee shall be deemed to have received a notification for purposes of this paragraph.

(20 U.S.C. 241a, 1232c)

SEC. 5—*Submission*—(a) *Application for review.* (1) A grantee with respect to whom a determination described in section 4 has been made and who desires review may file with the Board an application for review of such determination. The grantee's application for review must be postmarked no later than 30 days after the postmark date of notification provided pursuant to section 4(b) except when the Board Chairman grants an extension of time for good cause shown.

(2) Although the application for review need not follow any prescribed

form, it shall clearly identify the question or questions in dispute and contain a full statement of the grantee's position with respect to such question or questions, and the pertinent facts and reasons in support of such position. The grantee shall attach to his submission a copy of the agency notification described in section 4(b).

(b) *Action by Board on application for review.* (1) The Board Chairman shall promptly send a copy of the grantee's application to the Deputy Commissioner for School Systems.

(2) If the Board Chairman determines, after receipt of an application for review, that the requirements of section 4 have been satisfied, he shall promptly refer the application to an Audit Hearing Panel designated pursuant to section 3(b) for further proceedings under this part. If he determines that such requirements have not been met, the Board Chairman shall return the application to the grantee with reasons for its rejection.

(20 U.S.C. 241a, 1232c)

SEC. 6—*Effect of submission.* When an application has been filed with the Board with respect to a determination, no action will be taken by the Office of Education with respect to the collection of the amount determined to be owing pursuant to such determination until such application has been disposed of. The filing of the application shall not affect the authority which the Office of Education may have to initiate proceedings under section 146 of Title I.

(20 U.S.C. 241a, 1232c)

SEC. 7—*Substantive and procedural rules*—(a) *Substantive rules.* The Panel shall be bound by all applicable laws and regulations.

(b) *Procedural rules.* (1) With respect to cases involving, in the opinion of the Panel, no dispute as to a material fact the resolution of which would be materially assisted by oral testimony, the Panel shall take appropriate steps to afford to each party to the proceeding an opportunity for presenting his case at the option of the Panel (i) in whole or in part in writing or (ii) in an informal conference before the Panel which shall include provisions designed to assure to each party: (*a*) sufficient notice of the issues to be considered (where such notice has not previously been afforded) and (*b*) an opportunity to be represented by counsel.

(2) With respect to cases involving a dispute as to a material fact the resolution of which would be materially assisted by oral testimony, the Panel shall take appropriate steps to afford to each party an opportunity for a hearing, which shall include, in addition to provisions required by paragraph (b)(1)(ii), provisions designed to assure to each party the following:

(i) A transcript of the proceedings;

(ii) An opportunity to present witnesses on his behalf; and

(iii) An opportunity to cross-examine other witnesses either orally or through written interrogatories.

(c) *Intervention by third parties.* (1) Interested third parties may, upon application to the Board Chairman, intervene in proceedings conducted under this notice. Such application must indicate to the satisfaction of the Board Chairman that the intervenor has information relative to the specific issues raised by the final audit determination, and that such information will be useful to the Hearing Panel in resolving those issues.

(2) When third parties are given leave to intervene in accordance with subparagraph (1) above, such parties shall be afforded the same opportunities as other parties to present written materials, to participate in informal conferences, to call witnesses, to cross-examine other witnesses, and to be represented by counsel.

(20 U.S.C. 241a, 1232c)

SEC. 8—*Hearing before Panel or a hearing officer.* A hearing pursuant to section 7(b)(2) shall be conducted, as determined by the Panel Chairman, either before the Panel or a hearing officer. The hearing officer may be (a) one of the members of the Panel or (b) a nonmember who is appointed as a hearing examiner under 5 U.S.C. 3105.

(20 U.S.C. 241a, 1232c)

SEC. 9—*Initial decision; final decision.* (a) The Panel shall prepare an initial written decision, which shall include findings of fact and conclusions based thereon, for submission to the Commissioner. When a hearing is conducted before a hearing officer alone, the hearing officer shall separately find and state the facts and conclusions upon which such decision is based and these findings and conclusions shall be incorporated in the initial decision.

(b) Copies of the initial decision shall be mailed promptly by the Panel to each party and intervenor, or his counsel, with a notice affording such party an opportunity to submit written comments thereon to the Commissioner within a specified reasonable time.

(c) The initial decision of the Panel shall be transmitted to the Commissioner and shall become the final decision of the Commissioner, unless, within 25 days after the expiration of the time for receipt of written comments, the Commissioner signifies his determination to review such decision.

(d) In any case in which the Commissioner modifies or reverses the initial decision of the Panel, he shall accompany such action by written statement of the grounds for such modification or reversal, which shall promptly be filed with the Board. Such decision shall not become final until it is served upon the grantee involved or his attorney.

(e) The authority to review initial decisions shall not be delegated. Review of any initial decision by the Commissioner shall be at his discretion and shall be based upon such decision, the written record, if any, of the Panel's proceedings, and written comments or oral arguments by the parties to the proceeding, or by their counsel.

(20 U.S.C. 241a, 1232c)

SEC. 10—*Separation of functions.* No person who participated in prior administrative consideration, or in the preparation or presentation of, a case submitted to the Board shall advise or consult with, and no person having an interest in such case shall make or cause to be made an ex parte communication to, the Panel, Board, or the Commissioner with respect to such case, unless (1) all parties to the case are given timely and adequate notice of such advice, consultation, or communication, and (2) reasonable opportunity to respond is given all parties.

(20 U.S.C. 241a, 1232c)

Effective date. This notice shall become effective 30 days after the date of its publication in the FEDERAL REGISTER.

Dated: September 27, 1972.

S. P. MARLAND, Jr.,
U.S. Commissioner of Education.

[FR Doc.72-18345 Filed 10-26-72;8:51 am]

FEDERAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN CRITICAL SUBJECTS

Allotment Ratios

Allotment ratios under title III, National Defense Education Act of 1958, for financial assistance for strengthening instruction in science, mathematics, modern foreign languages, and other critical subjects.

Pursuant to section 302 of the National Defense Education Act (U.S.C. 442), the following allotment ratios for the several States of the Union and the District of Columbia, as computed on the basis of the income per child of school age in each of the States of the Union and the District of Columbia in relation to the whole of the United States for the calendar years 1969, 1970, and 1971, being the three most recent consecutive years for which satisfactory data were available as of August 9, 1972, for the Department of Commerce, are hereby promulgated for each of the 2 fiscal years in the period beginning July 1, 1973, and ending June 30, 1975.

Alabama	.6343	Minnesota	.5134
Alaska	.4200	Mississippi	.6713
Arizona	.5401	Missouri	.5282
Arkansas	.6372	Montana	.5659
California	.4363	Nebraska	.5161
Colorado	.5125	Nevada	.4219
Connecticut	.3889	New Hampshire	.5408
Delaware	.4392	New Jersey	.4203
Florida	.5342	New Mexico	.6057
Georgia	.5716	New York	.3980
Hawaii	.4323	North Carolina	.5918
Idaho	.5884	North Dakota	.5926
Illinois	.4261	Ohio	.4922
Indiana	.5113	Oklahoma	.5788
Iowa	.5270	Oregon	.5251
Kansas	.5020	Pennsylvania	.5008
Kentucky	.6064	Rhode Island	.5020
Louisiana	.6113		
Maine	.5919		
Maryland	.4574		
Massachusetts	.4505		
Michigan	.4643		

South Carolina	.6273	Virginia	.5380
South Dakota	.5935	Washington	.4897
Tennessee	.6076	West Virginia	.6165
Texas	.5498	Wisconsin	.5287
Utah	.5914	Wyoming	.5345
Vermont	.5614	District of Columbia	.3114

Ratios in effect for each of the 2 fiscal years in the period beginning July 1, 1971, and ending June 30, 1973, were computed on the basis of data from the Department of Commerce for the calendar years 1966, 1967, and 1968.

Alabama	.6667	Nebraska	.5223
Alaska	.4957	Nevada	.4209
Arizona	.5963	New Hampshire	.5105
Arkansas	.6576	New Jersey	.3848
California	.4053	New Mexico	.6667
Colorado	.5335	New York	.3416
Connecticut	.3463	North Carolina	.6228
Delaware	.4588	North Dakota	.6303
Florida	.5206	Ohio	.5031
Georgia	.6109	Oklahoma	.5633
Hawaii	.5282	Oregon	.5033
Idaho	.6333	Pennsylvania	.4719
Illinois	.4010	Rhode Island	.4311
Indiana	.5076	South Carolina	.6667
Iowa	.5123	South Dakota	.6150
Kansas	.5242	Tennessee	.6197
Kentucky	.6209	Texas	.5846
Louisiana	.6497	Utah	.6481
Maine	.5838	Vermont	.5581
Maryland	.4661	Virginia	.5575
Massachusetts	.4057	Washington	.4624
Michigan	.4925	West Virginia	.6319
Minnesota	.5408	Wisconsin	.5231
Mississippi	.6667	Wyoming	.5704
Missouri	.5078	District of Columbia	.3333
Montana	.5968		

Dated: October 19, 1972.

SIDNEY P. MARLAND, Jr.,
Commissioner of Education.

[FR Doc.72-18344 Filed 10-26-72;8:51 am]

Office of the Secretary

SECRETARY'S COMMISSION ON MEDICAL MALPRACTICE CONSUMER ISSUES ADVISORY PANEL

Notice of Public Meeting

The Secretary's Commission on Medical Malpractice Consumer Issues Advisory Panel created to provide technical assistance to the Commission on medical malpractice consumer issues will meet Monday, October 30, 1972, at 8:30 a.m., in the New York Room at the Statler-Hilton Hotel located at 16th and K Streets NW., Washington, D.C. The panel will discuss the following matters from the viewpoint of the consumer: Satisfaction with current system of compensation for injuries caused by medical care; limitations on current compensation system; alternative systems of compensation; continuing medical education; communication between patient and health care provider; "crisis" allegations about medical malpractice; availability of health care as related to medical malpractice; patient's right to medical records; and all aspects of the "patient's bill of rights" concept. The meeting will be open to the public.

Dated: October 19, 1972.

ELI P. BERNSWEIG,
Executive Director.

[FR Doc.72-18354 Filed 10-26-72;8:52 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-313]

ARKANSAS POWER & LIGHT CO.

Availability of AEC Draft Environmental Statement

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that a document entitled "Draft Environmental Statement by the Directorate of Licensing, U.S. Atomic Energy Commission, related to the Arkansas Nuclear 1, Unit 1, Arkansas Power & Light Co., Docket No. 50-313," is being placed in the following locations where it will be available for inspection by members of the public: The Commission's Public Document Room at 1717 H Street NW., Washington, DC 20545, and at the Arkansas River Valley Regional Library, Dardanelle, Ark. 72834. The report is also being made available at the Arkansas Planning Commission, Room 502, Capitol Hill Building, Little Rock, Ark. 72201, and at the West Central Arkansas Planning and Development District, Municipal Building, Box 773, Hot Springs, Ark. 71901. Copies of the Commission's draft environmental statement may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

An environmental report and supplements thereto are also available for public inspection at the above-named locations. The notice of availability of applicant's environmental report and supplemental environmental report was published in the FEDERAL REGISTER on December 22, 1971 (36 F.R. 24235).

Pursuant to Appendix D to 10 CFR 50, interested persons may, within thirty (30) days from date of publication of this notice in the FEDERAL REGISTER, submit comments for the Commission's consideration on the proposed actions, applicant's environmental report and supplements thereto, and the draft environmental statement. Federal and State agencies are being provided with copies of these reports and the draft environmental statement (local agencies may obtain these documents upon request) and, when any comments thereon by Federal, State, and local officials are received, they will be made available for public inspection at the above-designated locations. Comments on the draft environmental statement from interested members of the public should be addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 24th day of October 1972.

For the Atomic Energy Commission.

DANIEL R. MULLER,
Assistant Director for Environmental Projects, Directorate of Licensing.

[FR Doc.72-18364 Filed 10-26-72;8:53 am]

[Dockets Nos. 50-295, 50-304]

COMMONWEALTH EDISON CO.

Notice and Order for Special Prehearing Conference

In the matter of Commonwealth Edison Co. (Zion Station, Units 1 and 2.)

Take notice, that pursuant to the Atomic Energy Commission's "Notice of Hearing on a Facility Operating License," dated September 29, 1972, and in accordance with § 2.751a of said Commission's restructured rules of practice, a special prehearing conference will be held in the subject proceeding on November 17, 1972, at 10 a.m., local time, in the Circuit Courthouse, 2828 Sheridan Road, Zion, IL.

The special prehearing conference will deal with the following matters:

1. Identification and simplification of the issues;
2. Outstanding petitions for intervention;
3. Establishment of schedules for further action;
4. Need for discovery, and the time required for such discovery;
5. Motions to be addressed to the Atomic Safety and Licensing Board (Board);
6. Procedures, including rules of evidence, to be followed in the presentation of evidence at the actual evidentiary hearings; and
7. Such other matters as may aid in the orderly disposition of the instant proceeding.

The attorneys for the respective parties are hereby directed to confer in advance of the special prehearing conference and report to the Board at the time of said conference on the prospects of:

1. Settlement;
2. A stipulation of the matters in controversy; and
3. A stipulation or statement of the uncontested facts.

At the special prehearing conference, the Board will hear oral argument on the outstanding petitions to intervene. The petitioners, as well as the parties, will be permitted to be heard in this regard. The Board will also hear argument pertaining to the contentions filed by the joint intervenors (Businessmen for the Public Interest, Inc., et al.).

In addition, the Board will hear oral argument by the parties regarding the following issues:

1. Identity and addresses of individual members of the Sierra Club who desire to be represented by the Sierra Club in this proceeding. Discussed at said prehearing conference will be the particular interests of the named individuals in this action.

2. The legal authority of the Metropolitan Sanitary District of Greater Chicago to be a party in this proceeding.

3. The scope of the National Environmental Policy Act review to be made by the Board in light of the Commission's notice of hearing and the recently enacted Federal Water Pollution Control Act Amendments of 1972. As part of this discussion, the Board will require data as to any enacted Illinois water quality standards or effluent limitations which have been federally approved, and which might be applicable to the two Zion units.

Issued at Washington, D.C., this 19th day of October 1972.

By order of the Atomic Safety and Licensing Board.

JEROME GARFINKEL, ESQ.,
Chairman.

[FR Doc.72-18298 Filed 10-26-72;8:47 am]

[Dockets Nos. 50-369 and 50-370]

DUKE POWER CO.

Availability of AEC's Final Environmental Statement for William B. McGuire Nuclear Station

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that the "Final Environmental Statement related to the proposed William B. McGuire Nuclear Station, Units 1 and 2, Duke Power Co., Dockets Nos. 50-369 and 50-370," prepared by the Directorate of Licensing, U.S. Atomic Energy Commission, is being placed in the following locations where it will be available for inspection by members of the public: the Commission's Public Document Room at 1717 H Street NW., Washington, DC, and in the Public Library of Charlotte and Mecklenburg County, 310 North Tryon Street, Charlotte, NC 28208. The report is also being made available at the Clearinghouse and Information Center, Post Office Box 1351, Raleigh, NC 27602, and at the Central Piedmont Regional Council of Local Governments, 509 Cecil Street, Suite 302, Charlotte, NC 28204.

The notice of availability of the draft environmental statement for the William B. McGuire Nuclear Station, Units 1 and 2 and requests for comments from interested persons was published in the FEDERAL REGISTER on July 27, 1972 (37 F.R. 15045). The comments received from Federal, State, and local officials and interested members of the public have been included as appendices to the final environmental statement.

Single copies of the final environmental statement may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 20th day of October 1972.

For the Atomic Energy Commission.

DANIEL R. MULLER,
Assistant Director for Environmental Projects, Directorate of Licensing.

[FR Doc.72-18365 Filed 10-26-72;8:53 am]

CIVIL AERONAUTICS BOARD

AMERICAN STATISTICAL ASSOCIATION ADVISORY COMMITTEE FOR STATISTICAL RESEARCH

Notice of Meeting

Notice is hereby given, pursuant to Executive Order 11671, that the American Statistical Association Advisory Committee for Statistical Research to the Civil Aeronautics Board will convene on December 1, 1972 at 9 a.m. local time. The Committee will meet in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, DC.

The Committee was established in 1966 to provide the Civil Aeronautics Board with advice and assistance in the planning of its research programs. It consists of 10 members from academic institutions, designated by the President of the American Statistical Association.

The agenda is: (1) Review of current research projects and (2) plans for projects for the next year.

A limited number of seats—about 10—will be available to the public.

Minutes will be available for public inspection 30 days after the meeting in Room 921, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, DC.

Dated at Washington, D.C., October 24, 1972.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc. 72-18382 Filed 10-26-72;8:55 am]

DELAWARE RIVER BASIN COMMISSION

WATER QUALITY STANDARDS AND COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, November 8, 1972, in the South Auditorium of the ASTM Building, 1916 Race Street in Philadelphia, beginning at 2 p.m. The subjects of the hearing will be as follows:

I. A proposal to amend the Commission's water quality standards and basin regulations by the addition to Part II thereof of the following all new policy relating to the protection of ground water quality:

ARTICLE 2-4

GROUND WATER—BASINWIDE

SECTION 2-4.1 *Application.* This article shall apply to the ground water of the Delaware River Basin.

SEC. 2-4.2 *Description.* Ground water shall include all water beneath the surface of the ground.

SEC. 2-4.3 *Water uses.* The quality of ground water shall be maintained in a safe and satisfactory condition for use as domestic, agricultural, industrial, and public water supplies, except where such uses are precluded by natural quality. Other uses may be designated by the Commission.

SEC. 2-4.4 *Ground water quality objectives*—(1) *Nondegradation of ground waters.* It is the policy of the Commission to prevent degradation of ground water quality. In implementing this policy, the Commission will require the best water management determined to be practicable. No quality change will be considered which, in the judgment of the Commission, may be injurious to any designated present or future use.

(2) *Limits.* The ground waters of the basin shall not contain substances or properties attributable to the activities of man in concentrations or amounts sufficient to endanger or preclude the water uses to be protected. Within this requirement, the ground waters shall be free from substances or properties in concentrations or combinations which are toxic or harmful to human, animal, plant, or aquatic life, or that produce color, taste, or odor of the waters. Concentrations at any point shall not exceed values specified by current U.S. Public Health Service Drinking Water Standards.

SEC. 2-4.5 *Ground water quality control*—(1) *Controls.* The processing, handling, transportation, disposal, storage, excavation, or removal of any solid, liquid, or gaseous material on or beneath the ground surface of the basin shall be conducted in such manner and with such facilities, in accordance with such regulations and requirements as the Commission may prescribe, as to prevent any of the criteria or requirements of this article from being violated.

(2) *Limitations.* a. No substances or properties which are toxic or that produce color, taste, or odor of the water shall be permitted or induced by the activities of man to become ground water.

b. Heat discharges which may adversely affect ground water shall be regulated by the Commission.

c. Notwithstanding any other criteria or requirements of this article, the Commission may prescribe regulations establishing requirements, conditions, or prohibitions which, in its judgment, are necessary to protect ground water quality.

d. Certain activities otherwise prohibited by paragraph (1) of this section, such as approved solid or liquid waste

disposal systems or fertilizer applications for farming practices, may be permitted subject to such requirements as may be prescribed by Commission regulations.

(3) *Abatement.* It is the policy of the Commission to require abatement of unsatisfactory ground water quality due to the activities of man to the levels of the criteria and requirements of this article. In implementing this policy, the Commission will require the parties responsible for such abatement to undertake the appropriate and timely programs necessary.

II. A proposal to amend the Commission's water quality standards and basin regulations by the addition to Article 3–2 thereof of the following all new stream quality objective involving the measurement of total dissolved solids:

Total dissolved solids. Stream concentration of dissolved solids shall not be increased by industrial wastes more than one-third above background levels of 1971. Background means the stream condition as measured or estimated from available data for appropriate stream reaches. Criteria for waters affected by ocean salinity or mine drainage may be determined separately for a stream reach so affected.

III. A proposal to amend the Commission's water quality standards and basin regulations by the following changes in section 3–3.8 thereof relating to effluent quality requirements.

(NOTE: Deletions shown in brackets [ ] and new language shown in UPPER CASE.)

SEC. 3–3.8 *Other Substances in Effluents*—(1) *Color.* For municipal, industrial, or sanitary wastes, the effluent shall not impart objectionable color to the receiving waters, nor exhibit a true color of more than 100 units on the platinum-cobalt scale or the natural color of the receiving waters, whichever is greater. (Requirements for industrial wastes, containing color will be determined by the Commission.)

(2) *Dissolved substances.* Dissolved and colloidal substances, including nutrients, discharged in waste effluents shall be limited where necessary to prevent deposition of sediments, formation of flocculent materials, or excessive aquatic growth, that impair protected uses, violate water quality criteria, or generate additional oxygen demands upon the receiving waters.

(3) *pH.* Between 6 and 9. Where streams have high acidity levels a discharge with a pH greater than 9 may be permitted.

(4) *Ammonia.* In nontidal waters not to exceed a 30-day average of 20 mg./l. as nitrogen. In tital waters not to exceed a 30-day average of 35 mg./l. measured as nitrogen.

(5) *Phosphates.* Not to exceed a 30-day average of 10 mg./l. measured as phosphorus. Not to exceed a 30-day average of 1 mg./l. measured as phosphorus in discharges directly into lakes or reservoir impoundments included in the comprehensive plan, or in such drainage areas thereof as may be delineated by the Commission.

(6) *Total dissolved solids.* Not to exceed 1,000 mg./l. A greater concentration may be permitted provided that stream background will not be increased by more than 1.6 percent. Requirements for discharges to waters affected by ocean salinity or mine drainage will be modified as reasonably related to such stream conditions.

IV. A proposal to amend the Comprehensive Plan so as to include therein the following water resources projects:

1. *Gerald J. Martin.* A sewage treatment plant to provide service in the Pratts Dam housing development in West Brandywine Township, Chester County, Pa. The new facility would handle a sewage flow of 150,000 gallons per day and would achieve a 98 percent reduction of BOD_5. Treated effluent would discharge to the West Branch Brandywine Creek.

2. *City of Bridgeton.* A well water supply project to augment public water supplies in the city of Bridgeton, Cumberland County, N.J. The new facilities are designated as Wells Nos. 13 and 14. Withdrawal from the proposed wells will be limited to 40 million gallons monthly, subject to a combined maximum of 264 million gallons monthly from all wells in the city's system.

3. *Southwest Delaware County Municipal Authority.* Modification of the Authority's existing sewage treatment plant located in Aston Township, Delaware County, Pa. Capacity of the treatment plant will be increased to handle a sewage flow of 2.5 million gallons per day and provide removal of 85 percent of BOD_5. Treated effluent will discharge to Baldwin Run, a tributary of Chester Creek.

4. *Lake Wynonah Municipal Authority.* A sewage treatment plant to serve the Lake Wynonah recreational community in South Manheim Township, Schuylkill County, Pa. Sewage will be trucked from holding tanks to the treatment plant which is designed to accommodate a sewage flow of 32,500 gallons per day. About 95 percent of BOD_5 will be removed prior to discharge of effluent into Plum Creek, a tributary of the Schuylkill River.

5. *East Norriton-Plymouth Joint Sewer Authority.* Upgrading of the Authority's existing sewage treatment plant in Plymouth Township, Montgomery County, Pa. Capacity will be increased to 5.6 million gallons per day and removal of 90 percent of BOD_5 will be provided. Treated effluent will discharge to the Schuylkill River.

6. *North Penn Water Authority.* A well water supply project to augment public water supplies in Lower Salford Township and several adjacent boroughs and townships in Montgomery County, Pa. Designated as Well No. 20, the new facility is expected to yield 360,000 gallons per day.

7. *Tamaqua Borough Authority.* Modification of the Authority's existing primary sewage treatment plant in Walker Township, Schuylkill County, Pa. The treatment facility will be improved to provide 90 percent reduction of BOD_5 for a sewage flow of 1,750,000 gallons per day. Treated effluent will discharge to the Little Schuylkill River.

8. *Jim Thorpe Municipal Authority.* Modification of the Authority's existing sewage treatment plant in the Borough of Jim Thorpe, Carbon County, Pa. Treatment levels will be increased to remove about 92 percent of BOD_5 for a sewage flow of 650,000 gallons per day. Treated effluent will discharge to the Lehigh River.

9. *Exton Square, Inc.* A sewage treatment plant to serve the Exton Mall shopping area in West Whiteland Township, Chester County, Pa. About 96 percent of BOD_5 will be removed from a sewage flow of 60,000 gallons per day prior to discharge into Valley Creek, a tributary of East Branch Brandywine Creek. The treatment plant will be abandoned when a service connection to the Downingtown regional sewerage system becomes available.

10. *Village of Stamford.* A sewage treatment project serving the Village of Stamford, Delaware County, N.Y. About 91 percent of BOD_5 will be removed from a sewage flow of 400,000 gallons per day. Treated effluent will discharge to the West Branch Delaware River.

11. *Coastal Land Development Corp.* A sewage treatment plant to serve the East Vincent apartments complex in East Vincent Township, Chester County, Pa. About 98 percent of BOD_5 will be removed from a sewage flow of 67,000 gallons per day. Treated effluent will discharge to Yost Creek, a tributary of the Schuylkill River.

12. *Hamburg Municipal Authority.* Modification of the Authority's existing primary sewage treatment plant in the Borough of Hamburg, Berks County, Pa. The treatment level will be increased to provide removal of 90 percent of BOD_5 from a sewage flow of 1 million gallons per day. Treated effluent will discharge to the Schuylkill River.

13. *City of Philadelphia Department of Commerce.* Construction of a marine terminal upstream from the foot of Hartel Street in Philadelphia. The project will involve use of an adjacent wharf or construction of a new wharf at the project site.

V. A proposal to approve the following water pollution abatement schedules as submitted in accordance with section 3–4.2(2) of the Basin Regulations-Water Quality:

1. *Department of the Army, Frankford Arsenal (A–72–7).* A violation of the effluent requirements of the Commission's Basin Regulations was determined for this facility located in Philadelphia, Pa., and discharging into Zone 3 of the Delaware Estuary. The proposed schedule requires that facilities to accomplish compliance shall go into operation no later than December 31, 1972.

2. *New Castle County Department of Public Works—Delaware City Treatment Plant (A–72–8).* An allocation of 36 pounds per day of carbonaceous (first stage) oxygen demand has been made for this facility located in Delaware City, Del., and discharging into Zone 5 of the Delaware Estuary. The proposed sched-

ule requires a minimum waste reduction of 87.5 percent and that treatment facilities to accomplish this reduction shall go into operation no later than May 31, 1974.

3. *Air Products & Chemicals, Inc. (formerly Houdry Process & Chemical Co.) (A-71-16 Rev.)*. An allocation of 65 pounds per day of carbonaceous (first stage) oxygen demand has been made for this facility located in Paulsboro, N.J., and discharging into Zone 4 of the Delaware Estuary. An abatement schedule for this facility was approved on May 27, 1971, that permitted participation in the Deepwater Preliminary Engineering and Pilot Plant Studies Program. Upon determination that the facility would not be included in a Deepwater Regional System, the company submitted the proposed revision of its Alternate II which sets the date for full compliance at March 1974.

4. *City of Wilmington (A-69-2 third Revision)*. An allocation of 13,400 pounds per day of carbonaceous (first stage) oxygen demand has been made for this waste treatment facility located in Wilmington, Del., and discharging into Zone 5 of the Delaware Estuary. An abatement schedule for this facility was approved on January 15, 1969. The schedule was revised on September 29, 1970, and again on February 23, 1972. The revision now proposed requires a minimum waste reduction of 87.5 percent and that treatment facilities to accomplish this reduction shall go into operation no later than August 1974. Due to land acquisition problems, the completion date would be extended from December 1973 to August 1974.

5. *Diamond Shamrock Chemical Co. (A-72-9)*. An allocation of 35 pounds per day of carbonaceous (first stage) oxygen demand has been made for this facility located in Delaware City, Del., and discharging into Zone 5 of the Delaware Estuary. The proposed schedule requires a minimum waste reduction of 87.5 percent and that treatment facilities to accomplish this reduction shall go into operation no later than August 31, 1974.

6. *National Sugar Refining Co. (A-69-35 Revision)*. An allocation of 1,800 pounds per day of carbonaceous (first stage) oxygen demand has been made for this facility located in Philadelphia, Pa., and discharging into Zone 3 of the Delaware Estuary. An abatement schedule for this facility was approved on December 11, 1969. The proposed revision requires that construction of treatment facilities to meet all requirements be completed no later than June 30, 1973. The proposed revision changes the interim dates of the abatement schedule but the completion date of the original schedule remains unchanged.

Documents relating to the items on the hearing notice may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission.

W. BRINTON WHITALL,
Secretary.

OCTOBER 20, 1972.

[FR Doc.72-18366 Filed 10-26-72;8:54 am]

ENVIRONMENTAL PROTECTION AGENCY

PRESIDENT'S WATER POLLUTION CONTROL ADVISORY BOARD AND THE PRESIDENT'S AIR QUALITY ADVISORY BOARD

Rescinded Notice of Determination

The Administrator's notice of determination to close certain meetings of the President's Water Pollution Control Advisory Board and the President's Air Quality Advisory Board published in the FEDERAL REGISTER (September 23, 1972, Vol. 37, No. 186, pg. 20054) is hereby rescinded.

Dated: October 24, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.72-18383 Filed 10-26-72;8:55 am]

ALLIED CHEMICAL CORP.

Notice of Petition for Reconsideration of Final Determination and Order

Notice is hereby given that the Environmental Protection Agency has received from Allied Chemical Corp. a "Petition for Reconsideration of Final Determination and Order of the Administrator Insofar As It Would Prevent Aerial Application of Mirex Bait in Hawaii."

The petition seeks reconsideration of the order dated May 3, 1972 (issued in accordance with the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. 135 et seq.), F.R., Volume 37, No. 10987, June 1, 1972. Allied Chemical Corp. requests that the provision of the order banning aerial application of Mirex bait in coastal counties be amended to allow aerial application of Mirex in the pineapple-growing areas of Hawaii.

All persons who wish to submit comments concerning this petition should do so within 30 days. Comments should be submitted to, and may be viewed at the Office of the Hearing Clerk, Environmental Protection Agency, Room 3902A, Waterside Mall, 401 M Street SW., Washington, DC 20460.

Dated: October 24, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.72-18384 Filed 10-26-72;8:55 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report 618]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

OCTOBER 16, 1972.

Pursuant to §§ 1.227(b)(3) and 21.30(b) of the Commission's rules, and application, in order to be considered with any domestic public radio services application appearing on the attached list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth below alternative—applications will be entitled to consideration with those listed if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other rquirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[1] All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

[2] The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the rules).

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

1980-C2-P-(2)-73—New England Telephone & Telegraph Co. (KCA670), replace transmitter operating on 152.57 MHz, add base frequency 152.66 MHz and change the antenna system at Mt. Tom, 2 miles southeast of Easthampton, Holyoke, Mass.

2342-C2-P-73—Public Service Associates, Inc. (KRS679), change the antenna system operating on 152.24 MHz at Baldy Hill, ⅞ mile north-northwest of Felts Field, Spokane Municipal Airport, Spokane, Wash.

2343-C2-P-73—Same (New), for a new 2-way station to be located on Baldy Hill, ⅞ mile north-northwest of Felts Field, Spokane Municipal Airport, Spokane, Wash., to operate on 152.120 MHz.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

2344–C2–P–73—Granbury Communications Co. (New), for a new 2-way station to be located at the east side of Courthouse Square, Granbury, Tex., to operate on 152.090 MHz.

2345–C2–P–(2)–73—General Telephone Co. of the Northwest, Inc. (KEK281), for additional facilities to operate on 152.750 MHz and change the antenna system operating on 152.690 MHz at 3.4 miles south of Junction U.S. Highway No. 2 and Spokane Street in Post Falls, Blossom Mountain, Idaho.

2429–C2–P–73—Continental Telephone Co. of California (KMM670), increase antenna height on 152.72 MHz at Pratt Mountain, 6 miles northeast of Garberville, Calif.

2430–C2–P–73—An-A-Phone Communications, Inc. (KIY774), for additional facilities to operate on 152.12 MHz at 101 North Elm Street, Greensboro, N.C.

2431–C2–MP–73—Mobilfone (KKA341), change the antenna system operating on 454.175, 454.225, 454.275, and 454.350 MHz at 4111 Darlington, Tulsa, OK.

2432–C2–P–73—Airsignal of California, Inc. (KMA267), reduce the standby transmitter power at Location No. 2: 238 North Fresno Street, Fresno, CA., operating on frequency 152.06 MHz.

2433–C2–P–73—Same (KFL648), same as above except frequency 158.70 MHz.

Renewal of (Developmental) license expiring October 31, 1972. Term: October 31, 1972 to October 31, 1973. The Bell Telephone Co. of Pennsylvania (KGI268); The C. & P. Telephone Co. of Maryland (KGI270, KGI271, KGI272, and KGI273); The Diamond State Telephone Co. (KGI269); New Jersey Bell Telephone Co. (KEK270, KEK271, and KEK272).

POINT-TO-POINT MICROWAVE RADIO SERVICE

2394–C1–P–73—Southern Bell Telephone & Telegraph Co. (KIY68), 36 Northeast Second Street, Miami, FL. Latitude 25°46′32″ N., longitude 80°11′36″ W. C.P. to add frequency 2165.05V MHz toward Miller Drive, Fla.

2395–C1–P–73—Same (KZI54), Miller Drive, approximately 1,000 feet west of 127th Avenue SW., Miller Drive, FL. Latitude 25°42′49″ N., longitude 80°24′08″ W. C.P. to add frequency 2115.05H MHz toward Homestead, Fla.; frequency 2115.05H MHz toward Miami, Fla.

2396–C1–P–73—Same (KJG68), 75 Northeast Civic Court, Homestead, FL. Latitude 25°-28′22″ N., longitude 80°28′30″ W. C.P. to add frequency 2165.05V MHz toward Miller Drive, Fla.

2382–C1–P–73—The Pacific Telephone & Telegraph Co. (KKU53), 3175 Spring Street, Redwood City, CA. Latitude 37°28′50″ N., longitude 122°11′57″ W. C.P. to change antenna system and points of communication on frequencies 10855V and 11015V MHz toward San Jose, Calif.

2383–C1–P–73—Same (KMN91), within San Jose, Calif. Latitude 37°17′07″ N., longitude 121°51′24″ W. C.P. to change antenna location and points of communication on frequencies 11305H and 11545H MHz toward Redwood City, Calif.

2384–C1–P–73—American Telephone & Telegraph Co. (KLC43), 2 miles north-northeast of Katy, Tex. Latitude 29°48′43″ N., longitude 95°48′37″ W. C.P. to add frequency 3990H MHz toward Spring, Tex.

2385–C1–P–73—Same (KGP77), 2.2 miles south-southwest of Spring, Tex. Latitude 30°02′54″ N., longitude 95°25′54″ W. C.P. to add frequency 3950H MHz toward Katy, Tex.; frequency 3890H MHz toward Dayton, Tex.

2386–C1–P–73—Same (KLV72), 5.9 miles west-southwest of Dayton, Tex. Latitude 30°01′55″ N., longitude 94°59′37″ W. C.P. to add frequency 4090H MHz toward Spring, Tex.

2387–C1–P–73—United Telephone Co. of Florida (KIQ75), 113 East Ventura Avenue, Clewiston, FL. Latitude 26°45′00″ N., longitude 80°56′03″ W. C.P. to add frequency 6034.2H MHz toward Hendry, Fla.

2388–C1–P–73—Same (KGG30), State Road 80, 15 miles west of Clewiston, Hendry, Fla. Latitude 26°46′09″ N., longitude 81°10′30″ W. C.P. to add frequency 6375.2H MHz toward La Belle, Fla.; frequency 6286.2H MHz toward Clewiston, Fla.

2389–C1–P–73—Same (KIQ72), Fort Thompson Street, La Belle, Fla. Latitude 26°45′58″ N., longitude 81°26′18″ W. C.P. to add frequency 6123.1V MHz toward Lehigh Acres, Fla.; frequency 6123.1H MHz toward Hendry, Fla.

2390–C1–P–73—Same (KJC83), 539 Colorado Road, Lehigh Acres, FL. Latitude 26°36′23″ N., longitude 81°38′26″ W. C.P. to add frequency 6375.2V MHz toward La Belle, Fla.

2391–C1–MP–73—American Telephone & Telegraph Co. (WLJ71), 3.5 miles north of Plano, Ill. Latitude 41°42′20″ N., longitude 88°30′27″ W. Modification C.P. for a new station on frequencies 3770V, 3850V, 3930V, and 4010V MHz toward Cloverdale, Ill.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

2392–C1–P–73—Same (KSA47), 4 miles north of Wheaton, Ill. Latitude 41°56′05″ N., longitude 88°05′57″ W. C.P. to add frequencies 3730V, 3810V, 3890V, and 3970V MHz toward Cloverdale, Ill.

2393–C1–MP–73—Same (WJL25), 2305 Sanders Road, Northbrook, IL. Latitude 42°06′44″ N., longitude 87°52′16″ W. Modification C.P. for a new station on frequencies 3770V, 3850V, 3930V, and 4010V MHz toward Cloverdale, Ill.; frequencies 10795V and 11035V MHz toward Morton Grove, Ill.

2397–C1–P–73—Same (KYZ91), 4.9 miles northwest of Roanoke, Tex. Latitude 33°01′41″ N., longitude 97°18′05″ W. C.P. to add frequency 3770H MHz toward Grapevine, Tex.

2398–C1–P–73—Same (KKK92), 4.8 miles east-southeast of Grapevine, Tex. Latitude 32°-54′43″ N., longitude 97°00′27″ W. C.P. to add frequency 3730H MHz toward Roanoke, Tex.

2399–C1–MP–73—Indiana Bell Telephone Co. (KSP57), 133 Northwest Fifth Street, Evansville, IN. Latitude 37°58′26″ N., longitude 87°34′16″ W. Modification C.P. to change polarization from H to V on frequencies 6197.2V, 6315.9V, and 6256.5V MHz toward Elberfeld, Ind.

2400–C1–MP–73—Same (WHT91), 2.3 miles northwest of Elberfeld, Ind. Latitude 38°10′51″ N., longitude 87°29′13″ W. Modification C.P. to change polarization from H to V on frequencies 5945.2V, 6063.8V, and 6004.5V MHz; from V to H on frequency 11155H MHz toward Arthur, Ind.; from V to H on frequency 11115H MHz toward Evansville, Ind.

2401–C1–MP–73—Same (KTQ49), 1.35 miles west-northwest of Arthur, Ind. Latitude 38°-20′47″ N., longitude 87°16′06″ W. Modification C.P. to change polarization from H to V on frequencies 6197.2V and 6315.9V MHz toward Monroe City, Ind.

2402–C1–MP–73—Same (KTQ47), 0.6 mile west of Monroe City, Ind. Latitude 38°36′57″ N., longitude 87°22′06″ W. Modification C.P. to change polarization from H to V on frequencies 5945.2V and 6063.8V MHz toward Westphalia, Ind.

2403–C1–MP–73—Same (KTQ46), northeast edge of town of Westphalia, Ind. Latitude 38°51′53″ N., longitude 87°13′25″ W. Modification C.P. to change polarization from H to V on frequencies 6197.2V and 6315.9V MHz toward Bloomfield, Ind.

2404–C1–MP–73—Same (KSL97), southeast corner of Jefferson and Indiana Streets, Bloomfield, Ind. Latitude 39°01′39″ N., longitude 86°56′21″ W. Modification C.P. to change polarization from H to V on frequencies 5945.2V, 6063.8V, and 6004.5V MHz toward Kirksville, Ind.

2405–C1–MP–73—Indiana Bell Telephone Co. (KSL96), 1.5 miles southeast of Kirksville, Ind. Latitude 39°01′19″ N., longitude 86°36′02″ W. Modification C.P. to change antenna system on frequencies 6197.2H, 6315.9H, and 6256.5H MHz toward Bloomington, Ind.; frequencies 6226.9V, 6345.5V, and 6286.2V MHz toward Bloomfield, Ind.

2406–C1–MP–73—Same (KSL95), 119 East Seventh Street, Bloomington, IN. Latitude 39°10′07″ N., longitude 86°31′58″ W. Modification C.P. to change antenna system and add a second tower on frequencies 5974.8H and 6093.5H MHz toward New Unionville, Ind.; frequencies 5974.8V, 6034.2V, and 6093.5V MHz toward Kirksville, Ind.

2407–C1–P–73—American Telephone & Telegraph Co. (KKH66), 3.5 miles northeast of Frisco, Tex. Latitude 33°10′31″ N., longitude 96°46′18″ W. C.P. to add frequencies 3790V and 3670V MHz toward Denton, Tex.

2408–C1–P–73—Same (KLS87), 3.5 miles south-southeast of Denton, Tex. Latitude 33°10′02″ N., longitude 97°06′42″ W. C.P. to add frequencies 3830V and 3910V MHz toward Adams, Tex.

2409–C1–P–73—Same (KIT28), 1.8 miles east of Villa Rica, Ga. Latitude 33°43′43″ N., longitude 84°53′09″ W. C.P. to add frequencies 3730H and 4150V MHz toward Mableton, Ga.

2410–C1–P–73—Same (WGI23), 3 miles north of Mableton, Ga. Latitude 33°51′54″ N., longitude 84°35′37″ W. C.P. to add frequencies 3770H and 4110V MHz toward Villa Rica, Ga.; frequencies 3770H and 4110V MHz toward Atlanta 03 (Smyrna), Ga.

2411–C1–P–73—Same (WGI24), 3.3 miles east of Smyrna, Ga. Latitude 33°52′47″ N., longitude 84°27′25″ W. C.P. to add frequency 3730H 4150V MHz toward Mableton, Ga.; frequency 3730V MHz toward Tucker, Ga.

2412–C1–P–73—Same (WGI25), 2 miles southeast of Tucker, Ga. Latitude 33°49′54″ N., longitude 84°11′23″ W. C.P. to add frequency 3770V MHz toward Atlanta 03 (Smyrna), Ga.; frequency 3770H MHz toward Jersey, Ga.

2413–C1–P–73—Same (KRS98), 2.2 miles northeast of Jersey, Ga. Latitude 33°43′51″ N., longitude 83°46′00″ W. C.P. to add frequency 3730H MHz toward Tucker, Ga.; frequency 3730H MHz toward Monticello, Ga.

2414–C1–P–73—Same (WGI26), 5 miles northwest of Monticello, Ga. Latitude 33°20′16″ N., longitude 83°45′59″ W. C.P. to add frequency 3770H MHz toward Jersey, Ga.

2415–C1–P–73—Same (KQH35), 4 miles southeast of Saranac, Mich. Latitude 42°53′08″ N., longitude 85°09′12″ W. C.P. to add frequency 3790H MHz toward Ada, Mich.

2416–C1–P–73—Same (WHT48), 3.2 miles north-northeast of Ada, Mich. Latitude 43°00′06″ N., longitude 85°27′34″ W. C.P. to add frequency 3830V MHz toward Saranac, Mich.; frequency 3830H MHz toward Grand Rapids, Mich.

2417–C1–P–73—American Telephone & Telegraph Co. (KQH36), 114 North Division Street, Grand Rapids, MI. Latitude 42°57′57″ N., longitude 85°40′03″ W. C.P. to add frequency 3790V MHz toward Ada, Mich.

2418–C1–P–73—Same (KQE91), 4.5 miles southwest of Milford, Mich. Latitude 42°33′25″ N., longitude 83°41′38″ W. C.P. to add frequency 3950H MHz toward Plymouth Junction, Mich.

2419–C1–P–73—Same (KVU74), 4 miles west of Plymouth Junction, Mich. Latitude 42°21′52″ N., longitude 83°32′50″ W. C.P. to add frequency 3990H MHz toward Milford, Mich.; frequency 3850V MHz toward Southfield, Mich.

2420–C1–P–73—Same (KQG23), 2 miles north of city limits of Detroit, Mich. Latitude 42°28′24″ N., longitude 83°15′40″ W. C.P. to add frequency 3810V MHz toward Plymouth Junction, Mich.; frequency 3810V MHz toward Detroit, Mich.

2421–C1–P–73—Same (KQA83), 1365 Cass Avenue, Detroit, Mich. Latitude 42°19′57″ N., longitude 83°03′14″ W. C.P. to add frequency 3850V MHz toward Southfield, Mich.

2422–C1–P–73—Washington Telephone Co. (new), State Highway 20 one-fourth mile east of Ranger Station Road, Marblemount, Wash. Latitude 48°31′38″ N., longitude 121°26′30″ W. C.P. for a new station on frequency 2128.0V MHz toward Newhalem, Wash., via Passive Reflector.

2423–C1–P–73—Same (new), Gorge Switching Station, Newhalem, Wash. Latitude 48°40′29″ N., longitude 121°14′29″ W. C.P. for a new station on frequency 2178.0V MHz toward Marblemount, Wash., via Passive Reflector.

2424–C1–P–73—The Mountain States Telephone & Telegraph Co. (WGI51) 52d Avenue and Zuni Street, Denver, Colo. Latitude 39°47′31″ N., longitude 105°01′00″ W. C.P. to add frequency 3750H MHz toward Arapahoe Springs, Colo.

2425–C1–P–73—Same (WGI52), 3.5 miles south of Idaho Springs, Colo. Latitude 39°41′27″ N., longitude 105°30′15″ W. C.P. to add frequency 5960.0H 10955V, and 3710H MHz toward Denver (Zuni) Colo.; frequencies 6049.0H and 10775V MHz toward Idaho Springs, Colo., via Passive Reflector; frequency 3710H MHz toward Berthoud Pass, Colo.

2426–C1–P–73—Same (new), 4.6 miles west-northwest of Empire, Colo. Latitude 39°47′38″ N., longitude 105°45′48″ W. C.P. for a new station on frequency 3750H MHz toward Arapahoe Springs, Colo.; frequency 3750H MHz toward Grouse Mountain, Colo.

2427–C1–P–73—Same (new), 5.5 miles northwest of Hot Sulphur Springs, Colo. Latitude 40°08′02″ N., longitude 106°10′25″ W. C.P. for a new station on frequency 3710V MHz toward Granby, Colo., via Passive Reflector; frequency 3710H MHz toward Berthoud Pass, Colo.

2428–C1–P–73—The Mountain States Telephone & Telegraph Co. (new), Second and Jasper Avenue, Granby, Colo. Latitude 40°05′12″ N., longitude 105°56′18″ W. C.P. for a new station on frequency 3570V MHz toward Grouse Mountain, Colo., via Passive Reflector.

2446–C1–ML–73—American Telephone & Telegraph Co. (KAK48), 2 miles northeast of Wyoming, Minn. Latitude 45°21′54″ N., longitude 92°59′26″ W. Modification of license to change polarization from V to H on frequencies 3770H and 3850H MHz toward Hudson, Wis.

2450–C1–P–73—Western Tele-Communications, Inc. (KPJ36), 5 miles northeast of Whitehall, Mont. Latitude 45°55′20″ N., longitude 112°01′24″ W.: C.P. to add frequency 6182.4V MHz toward Baldy Mountain, Mont., on azimuth 43°47′.

2451–C1–P–73—Same (KPY90), 15 miles west of White Sulphur Springs, Mont. Latitude 46°28′35″ N., longitude 111°15′04″ W.: C.P. to add frequency 6137.9V MHz toward Helena and Garden Knoll, Mont., on azimuths 284°20′ and 281°59′, respectively.

2453–C1–P–73—Same (KSQ40), Garnet Knoll, 22 miles north-northwest of Deer Lodge, Mont. Latitude 46°42′10″ N., longitude 112°52′53″ W.: C.P. to add frequency 6301.0V MHz toward Deer Lodge, Mont., on azimuth 159°55′. INFORMATIVE: WTCI proposes to provide the signal of KWGN–TV of Denver, Colo., to CATV systems in Helena and Deer Lodge, Mont. A waiver of section 21.701(i) of FCC rules is requested by WTCI.

2453–C1–P–73—Same (KPJ35), 5 miles southwest of Armstead, Mont. Latitude 44°54′26″ N., longitude 112°54′50″ W.: C.P. to add frequency 5960.0H MHz toward Dillon, Mont., on azimuth 29°21′. INFORMATIVE: WTCI proposes to provide the signal of KWGN–TV of Denver, Colo., to Dillon Cable TV in Dillon, Mont.

2454–C1–P–73—Same (KSP68), XL Heights, 3 miles east of Butte, Mont. Latitude 46°00′27″ N., longitude 112°26′30″ W.: C.P. to add frequency 6108.3V MHz toward Anaconda, Mont., on azimuth 289°13′. INFORMATIVE: WTCI proposes to provide the signal of KWGN–TV of Denver, Colo., to Western Television in Anaconda. A waiver of section 21.701(i) of FCC rules is requested by WTCI.

9528–C1–P–72—Mountain Microwave Corp. (KBI23), Eads, 12 miles west-southwest of Eads, Colo. Latitude 38°24′29″ N., longitude 102°58′29″ W.: C.P. to change existing frequency 6315.9 MHz to 6404.8H MHz toward Syracuse, Kans. (KZI38), on azimuth 122°06′.

Major Amendment

6957–C1–P–71—Mountain Microwave Corp. (new), 2 miles east of Larned, Kans. Latitude 38°10′57″ N., longitude 99°04′09″ W.: Application amended to change azimuth to 231°50′ toward Kinsley, Kans.

6958–C1–P–71—Same (new), 3 miles northwest of Dodge City, Kans. Latitude 37°46′40″ N., longitude 100°03′41″ W.: Application amended to change azimuth to 70°02′ toward Kinsley, Kans.

6959–C1–P–71—Same (new), 2.2 miles northwest of Kinsley, Kans. Latitude 37°57′29″ N., longitude 99°25′44″ W.: Application amended (a) to relocate station to foregoing coordinates and (b) to change frequency 10875 MHz to 10815V MHz toward Pratt, Kans., on azimuth 120°52′.

6168–C1–P–72—American Television and Communications Corp. (new), 4 miles west of Kissimmee, Fla. Latitude 28°17′27″ N., longitude 81°28′05″ W.: Application amended to add frequencies 5974.8H MHz and 6034.2H MHz toward new point of communication at Orlando, Fla. Latitude 28°36′25″ N., longitude 81°19′35″ W. on azimuth22°31′. INFORMATIVE: ATC proposes to provide the signals of WCIX–TV and WLTV, Miami, Fla., to Orange Cablevision, Inc., in the Orlando area.

Corrections

1386–C1–P–73—Continental Telephone of California (KV137), correct to read: correct azimuth on frequencies 6271.3V and 6390.0V MHz toward Ridgecrest, Calif., to 85°44′.

1905–C1–P–73—Ohio Bell Telephone Co. (KQN48), correct to read: 2.5 miles south-southeast of Hopedale, Ohio. Latitude 40°17′25″ N., longitude 80°53′17″ W. C.P. to add frequency 11525H MHz toward Cadiz, Ohio.

INFORMATIVE: In the Point-to-Point Microwave Radio Service questions frequently arise as to when a new application must be filed in lieu of an amendment in regard to relocating a proposed station site. To further simplify making the necessary determination, any site relocation resulting in a 20 mile or less change from the original site, will be considered an amendment: *Provided,* That the relocated station would essentially serve the same purpose in the system as originally proposed. Otherwise, such change must be accomplished by filing a new application.

[FR Doc.72–18233 Filed 10–26–72;8:45 am]

[Docket No. 18295; FCC 72R-300]

ORANGE COUNTY BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues

In regard application of Orange County Broadcasting, Inc., doing business as Orange County Broadcasting Co., Anaheim, Calif., Docket No. 18295, File No. BPCT-4018, 18297, 18298, 18300, for construction permit for new television broadcast station.

1. The Review Board has before it a petition to enlarge issues in the above captioned proceeding, filed by Golden Orange Broadcasting Co., Inc. (Golden Orange) on April 21, 1972.[1] In its petition, Golden Orange requests the addition of issues concerning abuse of process, § 1.65, lack of candor, and character qualifications against Orange Empire. Both the Bureau and Orange Empire oppose the addition of the requested issues.

2. To assist in understanding the instant petition, a chronology of events leading up to its filing would be helpful. This proceeding was designated for hearing by Commission Order, FCC 68-856, released August 30, 1968, 32 F.R. 12591, published September 5, 1968. In its order, the Commission specified an issue to determine whether Orange Empire would have available a bank loan in the amount of $1,700,000. Orange Empire had attempted to establish its financial qualifications by submitting a letter from Inland Bank of Pomona, Calif. That letter, dated April 2, 1968, and signed by William H. Asdel, president of the bank, purported to commit the bank to lend Orange Empire $1,700,000. However, Mr. Asdel, in the letter, noted that the amount of the proposed loan was in excess of the bank's legal lending limit but urged that the bank could obtain participation by a corresponding bank with no difficulty when the money was needed. It was this clause which led to the specification of the issue.

3. At a hearing session held on March 5, 1970, Mr. Asdel testified that his bank was prepared to provide the $1,700,000 to Orange Empire. The applicant introduced a letter of commitment identified as Orange Empire's exhibit 1, dated April 2, 1968, and a letter dated February 19, 1970, which purported to give more details as to the repayment schedule and rate of interest to be charged. On July 26, 1971, Mr. Asdel, president of Inland Bank, directed a letter to Orange Empire in which he advised that company that Inland Bank would in August be merged with the Bank of California. With respect to Inland's commitments to Orange Empire, Asdel stated:

> I will be a vice president of the Bank of California. More importantly, I should advise you that the lending limit of the Bank of California is many times the amount of your loan requirements of $1,700,000. In consequence of this fact, all previous references to the lending limit of Inland Bank may be disregarded as applicable.

At a further hearing session held on November 23, 1971, counsel for Orange Empire indicated that counsel for the Broadcast Bureau had suggested to him that in view of the Inland Bank merger with the Bank of California the availability of Orange Empire's loan commitment from Inland Bank should be clarified. Counsel further stated that Mr. Asdel, former president of Inland and now a vice president of the Bank of California, had agreed to supply such a letter. At a further hearing session a letter dated December 15, 1971, and signed by John E. Hayes, vice president and manager of the Bank of California which purported to commit the Bank of California to lend $1,700,000 to Orange Empire was marked for identification as Orange Empire exhibit 17. The exhibit was not, however, offered in evidence since Mr. Hayes was not available to sponsor the exhibit and for cross examination. Counsel for Orange Empire instead requested an extension of time to permit him to produce a new letter which would be properly sponsored by an official of the Bank of Colifornia. Counsel for Golden Orange objected to the extension, noting that as early as December 20, he had offered to take the testimony of Hayes by deposition so that the witness would not be required to travel to Washington. This Orange Empire had declined to do. The Presiding Judge denied Golden Orange's objection, and scheduled a further hearing session for February 3, 1972. This session was canceled by the judge and further hearing was conducted on March 1, 1972. Prior to that date, counsel for Orange Empire had distributed to counsel for all other parties a letter signed by Mr. Paul Revelle, a vice president of the Bank of California. That letter was identical in every respect, including the date, to the letter formerly offered for identification as exhibit 17, signed by Hayes.

4. On the afternoon of February 29, 1972, counsel for Orange Empire called the Presiding Judge to advise him that Revelle had no real personal knowledge concerning the loan commitment and that he was therefore unable to offer a witness on March 1. At the March 1 hearing, counsel for Orange Empire stated that he had discussed the problem under consideration with Mr. Revelle and had determined that Revelle could only testify of his own personal knowledge that he had been directed by the president of the Bank of California to prepare and sign the letter that bore his signature, and that of his own knowledge the loan commitment had not been considered by the credit committee. In these circumstances, counsel stated, he had concluded that no useful purpose would be served offering Mr. Revelle as a witness and therefore requested another continuance to permit him to come forward with a suitable witness to establish the financial qualifications of Orange Empire. The Presiding Judge, despite the vociferous objections of counsel for Golden Orange, further continued the proceeding until April 4, admonishing counsel for Orange Empire that in the absence of very unusual circumstances he would be afforded no further extension of time. On April 4, counsel for Orange Empire again appeared before the Presiding Judge and stated that his client had, in view of certain problems with the Bank of California, concluded that its interest would be better served by seeking a loan commitment from another lending agency, that it had undertaken to obtain a new loan commitment, and that it had been assured by high officials of another bank that a letter of commitment would be forthcoming; however, on the preceding Thursday the bank reneged and declined to make the needed commitment. Thus, counsel explained, Orange Empire was without a letter of commitment or a witness; Orange Empire therefore concluded that it would rely on the earlier commitment made by the Bank of California and had requested that Mr. Revelle be available for the April 4 hearing. Counsel stated that he was then advised that because of long standing previous commitments Revelle could not come to Washington during the week of April 3. To support this position, counsel relied upon a telegram from Revelle dated March 30, 1972, to the Presiding Judge wherein Revelle stated that prior commitments precluded his appearance during the week of April 3, and that his present calendar would permit no appearances on or after April 26. Counsel then stated that there:

> were some questions which persisted. For example, as to whether and to what extent the Bank of California inherited the prior commitment of Inland Bank to Orange Empire Broadcasting Co.
>
> Also, the Bank of California's loan committee never passed upon the Orange Empire application for loan itself, so in order to remove any of these questions, it was decided late last week that the best route to follow would be to resubmit a broad new loan application to the Bank of California, which is in the process of being done, so that neither the Bank of California nor the applicant will rely in any respect upon the previous commitment from Inland Bank . . .
>
> The applicant at this point has no way of knowing whether the Bank of California will, in fact, grant the loan application, so in order to avoid another problem, in the event they deny the application for a loan, Orange Empire is pursuing three other alternative courses with three other banks.

5. In view of these circumstances, Orange Empire again requested a further hearing to enable it to introduce a suitable loan commitment and an appropriate sponsoring witness. All counsel, except counsel for Golden Orange, who

[1] There is also before the Board for consideration an opposition to the petition to enlarge issues, filed by Orange Empire Broadcasting Co. (Orange Empire) on May 30, 1972; comments, filed by the Broadcast Bureau on May 4, 1972; and a reply, filed June 23, 1972, by Golden Orange.

again vociferously opposed the further extension, expressed reluctant consent to the further delay. Despite Golden Orange's objections, the Presiding Judge granted Orange Empire an extension until April 25, 1972. At the April 25 hearing session, Orange Empire offered as its exhibit 18 a letter of commitment from the Wells Fargo Bank purporting to commit that institution to lend $1,700,000 to Orange Empire on the terms and conditions stated in that letter. The exhibit was sponsored by Mr. Walter J. Winrow, vice president and manager of the Santa Ana office of Wells Fargo Bank. After extensive cross-examination of Mr. Winrow, that exhibit was received in evidence.

6. Orange Empire contends that this sequence of events establishes misrepresentation, failure to report pertinent facts as required by § 1.65 of the Commission's rules and a general lack of candor which warrants an issue concerning the character qualifications of Orange Empire to be a licensee of this Commission. In support of this contention, petitioner urges that neither the Presiding Judge nor the parties to this proceeding were aware that there was any question concerning the commitment of the Bank of California to lend $1,700,000 to Orange Empire prior to the hearing session held on April 4. Moreover, Golden Orange argues that had Orange Empire been required to go to hearing on March 1, 1972, it would have been established that the credit committee of the Bank of California had never passed on Orange Empire's application for a loan and that there was a question as to whether or not the Bank of California was obliged to honor Inland Bank's prior commitment. Moreover, petitioner argues, had Orange Empire been required to proceed to hearing on April 4, 1972, or had Mr. Hayes' deposition been taken in February, the same factual information would have been elicited. It further argues that there is nothing in the record to establish that Orange Empire had proceeded in good faith and thus we must conclude that Orange Empire's failure to provide a witness at the time specified constitutes an abuse of commission process.

7. The Review Board agrees with the Broadcast Bureau and with Orange Empire to the extent that this sequence of events, standing alone, does not provide an adequate basis for adding the issues requested by Golden Orange. At each step of this proceeding counsel for Orange Empire appeared to be forthright and presented his arguments to the Presiding Judge who was persuaded of their validity and granted the several continuances requested. Certainly this is not grounds for issues which raise questions as to the integrity of the applicant. However, neither the Presiding Judge, Golden Orange nor the Broadcast Bureau were aware of all of the facts. In its opposition, Orange Empire referred to a letter from Mr. Robert A. Lewis, executive vice president of Orange Empire, under date of December 15, 1971; this letter, addressed to Mr. John E. Hayes, alluded to a conference concerning the matter of the Bank of California's loan commitment to Orange Empire, and reads in pertinent part as follows:

> We, of course, recognize that whatever commitment you thereby inherited is entirely a derivative one and limited to Inland Bank's legal loan limit.
>
> Our pressing problem is that if we do not have by today a bank letter indicating the availability of $1,700,000 in loans to us, we shall no longer remain qualified to pursue our application before the FCC. Recognizing as we do both the inadequacy for credit evaluation purposes of the somewhat outdated paperwork delivered to you last Friday and the virtual impossibility of your making any meaningful assessment of our credit worthiness between then and now even assuming that our projections and financial statements and those of the prospective guarantors were current, we wish to make the following proposal.
>
> If you will provide us with a letter along the lines of the Union Bank letter of April 11, 1968 addressed to Golden Orange Broadcasting Co., Inc., copy of which was forwarded to you by our counsel's December 13, letter to you, we will release and indemnify you from any and all claims for damages which may hereafter be made against you should we be granted the FCC permit as successful applicant and should a thorough credit evaluation of our current prospects at that time cause you to elect not to make any loan to us. Your acceptance of this proposal shall be evidenced by your delivery to us of the requested letter which, as above indicated, we must have today to remain a qualified applicant.

Mr. Hayes' letter of December 15 (par. 4 supra) was apparently in response to the letter from Mr. Lewis quoted above. This correspondence casts the foregoing series of events in a different light. We cannot, at this time, accept the view of Mr. Bruington, local counsel for Orange Empire, as set forth in his letter of May 9, 1972, that the Lewis' letter does no more than restate the California law. The last paragraph of Mr. Lewis' letter appears to request a letter of commitment from the Bank of California with the understanding that if such letter is forthcoming and the bank subsequently decides not to make the loan, Orange Empire will forego any legal redress which might otherwise be available to it. This in turn raises a question as to whether Orange Empire may have undertaken to submit what purported to be a bonafide loan commitment but which was in fact no commitment on the part of the Bank of California. While a legally binding commitment is, of course, unnecessary to establish the availability of a proposed loan, the wording of Mr. Lewis' letter reflects that the applicant may have been attempting to merely obtain evidence of a commitment to satisfy the Commission without any regard for the efficacy of that commitment. To obtain and rely on such a commitment letter would clearly reflect on an applicant's candor and integrity. We accept counsel for Orange Empire's statement that he was not aware of the Lewis letter before April 24, 1972. Nevertheless, Mr. Lewis, executive vice president of Orange Empire, and Mr. Bruington, Orange Empire's California counsel, must be presumed to have acted for the corporation. In these circumstances, an issue inquiring into the circumstances surrounding the December 15, 1971, letter sent from the Bank of California, signed by John E. Hayes, vice president, and the effect of the facts so adduced on the qualifications on Orange Empire is appropriate.

8. *Accordingly, it is ordered,* That the petition to enlarge issues, filed on April 21, 1972, by Golden Orange Broadcasting Co., Inc. is granted to the extent indicated below, and is denied in all other respects, and that the issues in this proceeding are enlarged to include the following issues:

> To determine all of the facts and circumstances surrounding the letter from the Bank of California, dated December 15, 1971, and signed by John E. Hayes, vice president and manager, and offered by Orange Empire as its exhibit 16 and the affects of these facts on the basis or comparative qualifications of Orange Empire Broadcasting Co.

9. *It is further ordered,* That the burden of proceeding with the introduction of evidence under the issue being added herein shall be on Golden Orange Broadcasting Co., Inc. and the burden of proof shall be on Orange Empire Broadcasting Co.

Adopted: October 17, 1972.

Released: October 19, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-18360 Filed 10-26-72;8:53 am]

[Dockets No. 19468 etc.; FCC 72R-298]

WIOO, INC., ET AL.

Memorandum Opinion and Order Enlarging Issues

In regard applications of WIOO, INC., Carlisle, Pa., Docket No. 19468, File No. BPH-6572; Howard J. Hilton, John E. McGowan, and John E. Hilton, doing business as Hilton, McGowan & Hilton, Carlisle, Pa., Docket No. 19469, File No. BPH-6631; Alexander Contract and Sylvia Contract, doing business as Cumberland Broadcasting Company, Carlisle, Pa., Docket No. 19471, File No. BPH-7404; for construction permits.

1. This proceeding involves the mutually exclusive applications of WIOO, Inc. (WIOO), Hilton, McGowan & Hilton (Hilton) and Cumberland Broadcasting Co. (Cumberland), for a new FM broadcast station at Carlisle, Pa. The Commission, by order, FCC 72-233, 37 F.R. 6519, published March 30, 1972, designated these applications for consolidated hearing on various issues. Presently before the Review Board is a petition to enlarge issues, filed July 26, 1972, by Cumberland which requests issues to determine whether Harold Swidler, a WIOO principal, is guilty of criminal fraud in connection with documents presented to the Commission purporting to be affidavits and related misrepresen-

[2] Board Member Pincock absent. Board Member Nelson dissenting on the merits and because of the existing financial issue.

tation, abuse of process and lack of candor issues.[1]

2. A brief statement of relevant portions of the recent history of this proceeding will facilitate an understanding of the basis for the presently requested issues. On July 14, 1972, WIOO filed a supplement to petition to enlarge issues against Cumberland[2] which contained, inter alia, letters from three local area real estate brokers and a letter from an assessor of the Cumberland County Board of Assessment and Revision of Taxes, Carlisle, Pa. All five letters were notarized. Subsequently, by affidavit dated July 21, 1972, the notary public withdrew her notarization of the letters after learning that the county assessor had not authorized notarization of his letter.[3] WIOO subsequently submitted new notarizations of the local area realtors' appraisals and, because of their pertinency to the serious questions then before the Board, the Board considered the substance of those appraisals. Cumberland's present request for enlargement of the issues followed.

3. In support of its petition, Cumberland submits, in addition to the above described July 21, 1972, affidavit of the notary public withdrawing her notarizations, an affidavit of the county assessor, in which he states that he "did not have the said letter notarized nor did I authorize him [Mr. Harold Swidler] or anyone else to have the letter notarized." Petitioner contends that the actions of Harold Swidler in this matter require not only misrepresentation, abuse of process and lack of candor issues but also an issue "to determine whether Harold Swidler is guilty of violation of 18 U.S.C. section 1001 (1970)."[4,5]

4. WIOO opposes all the requested issues on the grounds that each of the letters in question were in fact properly signed and no question has been raised as to the genuineness of any of the statements contained therein. Furthermore, argues WIOO, an "irregularity" in the notarization of letters that were actually signed in good faith, which is all that occurred here, is substantially different from submitting false statements to the Commission. The former is merely a matter of form, argues WIOO, rather than substance, and need not require enlargement. WIOO also opposes the requested issue concerning criminal fraud on the grounds that the Commission is not the appropriate forum for deciding whether a crime has been committed. Finally, WIOO submits the affidavit of Harold Swidler in which he states that he "had no idea there was anything wrong" with asking the Notary to notarize the letters "even though they are not signed in the presence of the Notary" and that "the statements made (in the letter) were those of the individuals concerned" and they "personally signed the documents in my presence." The Broadcast Bureau, in its comments, agrees with WIOO to the extent that the criminal fraud issue is inappropirate because jurisdiction to determine criminal guilt or innocence does not lie with the Commission. The Bureau urges, however, that an issue should be designated to determine whether there was an abuse of process and/or misrepresentation on the part of Mr. Swidler.

5. In reply, petitioner attacks Mr. Swidler's affidavit disavowing knowledge of wrongdoing by contending that even if it is to be believed it is an "admission of misrepresentation." As to the requested issue concerning criminal fraud, Cumberland argues that the crime occurred within the Commission, that the Commission was the "direct victim" of criminal activity, and that, therefore, the Commission ought to be able to determine administratively the facts and circumstances surrounding the crime.

6. The Review Board will add the requested misrepresentation and abuse of process issue. Commission § 1.229(c) requires that all motions to enlarge, change or delete issues be supported by affidavits of persons having personal knowledge of the alleged facts. It appears that Mr. Swidler has procured and submitted to this Commission documents which he knew were not affidavits as represented by him, and that the purpose of the conduct was to persuade the Commission into believing that such documents were properly sworn. Inquiry into all the facts and circumstances surrounding both the procurement and submission of such documents is necessary and, therefore, an issue inquiring into the matter will be added. The Board does not believe, however, that the requested issue inquiring into violation of Federal law is either proper or necessary. Such a determination more appropriately rests with the Federal courts, and, as previously stated, the U.S. Attorney has indicated that he does not intend to prosecute. In any event, the significance of this matter relates primarily to the underlying conduct, and its effect, if any, on WIOO's qualifications to be a licensee, not whether Swidler did or did not technically violate the statute, and the conduct involved can be fully explored under the issues being specified herein.

7. *Accordingly, it is ordered,* That the petition to enlarge issues, filed July 26, 1972, by Cumberland Broadcasting Co. is granted to the extent indicated below, and is denied in all other respects; and

8. *It is further ordered,* That the issues in this proceeding are enlarged to include the following issues:

1. To determine whether Mr. Harold Swidler and/or WIOO, Inc. has made misrepresentations or abused Commission processes or been lacking in candor with respect to documents submitted to this Commission purporting to be affidavits;

2. To determine, in light of the evidence adduced pursuant to the above issue, whether Harold Swidler and/or WIOO, Inc., possesses the basic or comparative qualifications to be a Commission license.

9. *It is further ordered,* That the burden of proceeding with the introduction of evidence under the issues added herein shall be on Cumberland Broadcasting Co. and the burden of proof under these issues shall be on WIOO, Inc.

Adopted: October 16, 1972.

Released: October 19, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[6]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-18361 Filed 10-26-72;8:53 am]

[1] Also before the Review Board are the following related pleadings: (a) Opposition, filed August 7, 1972, by WIOO; (b) Broadcast Bureau's comments, filed August 8, 1972; and (c) reply, filed August 17, 1972, by Cumberland.

[2] This supplement was filed in connection with a series of pleadings initially filed on Apr. 14, Apr. 19, and Apr. 26, 1972—all of which were dealt with by Review Board Memorandum Opinion and Order, FCC 72R-255, released Sept. 20, 1972, —— FCC 2d —— (1972). See specifically footnote 7 thereof.

[3] By her July 21 affidavit, the Notary stated that, her action was taken because "none of these gentlemen (the local area realtors) appeared before me or contacted me in connection with the notarizations" and because she believed that she "can no longer rely on Mr. Swidler."

[4] 18 U.S.C. section 1001 (1970) reads as follows: Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly or willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000.00 or imprisoned not more than 5 years, or both.

[5] By letter of Aug. 25, 1972, attorneys for Cumberland notified the Review Board that they had received a letter, dated Aug. 18, 1972, from the U.S. Attorney's office, Dis-District of Columbia, which states that that office would decline criminal prosecution.

[6] Board member Pincock absent.

FEDERAL-STATE/LOCAL ADVISORY COMMITTEE, SUBCOMMITTEE D

Notice of Meeting

OCTOBER 20, 1972.

Subcommittee D, the Post Award Regulatory Phase Subcommittee, of the Cable Television Federal-State/Local Advisory Committee will hold an open meeting on November 8, 1972, at 10 a.m. The meeting will be held in the State Office Building, Saltonstall Building, Room 1319, 100 Cambridge Street, Boston, MA.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-18359 Filed 10-26-72;8:53 am]

TECHNICAL ADVISORY COMMITTEE, PANEL CHAIRMEN

Notice of Meeting

OCTOBER 20, 1972.

A meeting of the Panel Chairmen of the Cable Television Technical Standards

Advisory Committee will be held on November 13, 1972, in Room 847S of the FCC building, 1919 M Street NW., Washington, DC. The meeting will begin at 10 a.m.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-18357 Filed 10-26-72;8:53 am]

TECHNICAL ADVISORY COMMITTEE, PANEL 3 (RECEIVERS)

Notice of Meeting

OCTOBER 20, 1972.

Panel 3 (Receivers) of the Cable Television Technical Advisory Committee will hold an open meeting on November 9, 1972, at 10 a.m. The meeting will be held at the Marriott Motor Hotel, 8535 West Higgins Road, Chicago, IL, 312—693-4444 (Room number to be posted).

The following matters will be on the agenda:

(1) Discussion of Panel 3 function.

(2) Proposed work areas.

(3) Identification of specialists for each area.

(4) Proposed work objectives and schedules for each area.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-18358 Filed 10-26-72;8:53 am]

TELEVISION PROGRAM TRANSMISSION SERVICES

Notice of Application

OCTOBER 19, 1972.

On October 15, 1972, the American Telephone & Telegraph Co., filed its Tariff Application No. 903 in which it requests special permission to file tariffs that would propose revisions in A.T. & T.'s television program transmission rates to become effective 60 days after the filing of such tariffs. Special permission to file such tariffs is required under paragraph 11 of an order adopted by the Commission on February 3, 1972 and reaffirmed July 17, 1972, in Dockets 18128 and 18684. (33 FCC 2d at 524: FCC 72-619.)

The proposed tariff filing, if the application is granted, would contain both increases and decreases in charges. An attachment to this notice, prepared by A.T. & T., compares the presently effective and proposed rates. Under § 61.58 of the rules of this Commission, actual notice of any increases to users would be made by the carriers at the time of filing the tariffs, if the application is granted. Furthermore, in the event of a grant, A.T. & T. will be required to submit cost and other supporting data upon filing the tariffs. (§ 61.38 of the rules.)

Action on the application is expected within 30 days from the filing of the application. Accordingly, any interested persons may file whatever comments they may have on this application with the Commission no later than November 1, 1972. It should be noted that a grant of this application would not constitute approval or disapproval of the proposed tariffs; that if such a grant is made, interested persons would have the opportunity, under our rules, to submit petitions for suspension, rejection, or other relief, prior to the effective date of the tariffs; and that these proposed rates, if they should become effective, would be subject in any event to such final determinations as the Commission shall make in pending Docket 18128 concerning the principles that should govern in the assignment of the Bell System's revenue requirements among its principal classes of interstate and foreign services.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

TELEVISION SERVICE RATE COMPARISON

	Present rates	Proposed rates
Monthly:		
Interexchange channel—per mile:		
24 hours		$55.00
First hour	$12.10	
Cons. hours—per hour	4.40	
Non-Cons. hours—per hour	6.60	
Station connection—per connection:		
24 hours		1,500.00
First hour	580.00	
Cons. hours—per hour	147.00	
Non-Cons. hours—per hour	236.00	
Local and studio-to-transmitter channels—per channel:		
Month		1,000.00
First month	1,225.00	
Cons. months—per month	725.00	
Occasional:		
Interexchange channel—per mile:		
Per hour		1.00
7 a.m. to 1 a.m.	.55	
1 a.m. to 7 a.m.	.28	
Station connection—per connection:		
Per hour		80.00
7 a.m. to 1 a.m.	26.25	
1 a.m. to 7 a.m.	13.15	
Local channel—per channel:		
Per day		500.00
First day	410.00	
Cons. day—per day	110.00	
30-day maximum	1,225.00	1,000.00
Monitoring:		
30 minutes or less	8.00	8.00
Exceeding 30 minutes—per hour	15.00	15.00
Switches:		
Per switch	9.00	9.00
One-half switch	4.50	4.50

[FR Doc.72-18356 Filed 10-26-72;8:52 am]

FEDERAL POWER COMMISSION

NATIONAL GAS SURVEY SUPPLY-TECHNICAL ADVISORY TASK FORCE—SYNTHETIC GAS-COAL

Agenda for Meeting

Supply-Technical Advisory Task Force—Synthetic Gas-Coal, Conference Room 2043 of the Federal Power Commission, 441 G Street NW., Washington, DC, November 9 and 10, 1972, 10 a.m.; presiding: Dr. Paul J. Root, FPC Survey Coordinating Representative and Secretary.

1. Call to order and introductory remarks—Dr. Root.
2. Review of developments since the meeting of June 13, 1972—Mr. James R. Garvey, Director—Supply-Technical Advisory Task Force—Synthetic Gas-Coal.
3. Review of individual assignments for drafting sections of the final report—Mr. Garvey.
4. Status of assigned work programs and estimated date for completion—Mr. Garvey.
5. Other business.
6. Adjournment—Dr. Root.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-18340 Filed 10-26-72;8:51 am]

[Docket No. E-7775]

APPALACHIAN POWER CO.

Order Accepting for Filing and Suspending Proposed Rate Increases and Permitting Interventions

OCTOBER 20, 1972.

Appalachian Power Co. (APCO) a public utility subject to the jurisdiction of the Commission, filed on September 21, 1972, proposed changes in its FPC Rate Schedule Nos. 26, 27, 30-38, 40-44, 46-51 and 54 to become effective on October 21, 1972. APCO avers that the increased rates are necessary to meet increased costs of providing electricity, and increased costs of capital. The proposed charges would increase revenues from jurisdictional sales and services by approximately $1,918,718 based on a 12-month period ending December 31, 1971.

APCO also requests waiver of the Commission's 60-day filing requirement as set out in § 35.13(b) (4) (i) and (5) (i). In support of this request, APCO points out that complete cost of service data, virtually identical to that filed in this proceeding, were filed with the Commission on July 26, 1972, in Docket No. E-7416, and therefore the Commission staff has had reasonable time in which to study these data.

The notice of proposed increases, issued October 2, 1972, provided that the closing date for petitions to intervene, protests, and comment was October 16, 1972. Timely petitions to intervene and/or reject were filed by the following parties: Virginia Polytechnic Institute and State University (VPI), city of Danville, city of Martinsville, city of Salem, city of Bedford, and city of Radford. City of Richland filed only a petition to intervene.

In addition, seven motions to enlarge the time within which interventions and/or protests may be filed were filed by: War Light & Power Co., Union Power Co., United Light & Power Co., Kimball Light & Water Co., Elkhorn Public Service Co., Elk Power Co., and Black Diamond Power Co. In view of the fact that we are suspending the proposed rate increases for 5 months, these motions are denied. This denial is without prejudice to such action(s) we may take on petitions to intervene received after the final date for receipt of such petition(s).

Notice of Intervention has been filed by the Public Service Commission of West Virginia.

Each of the motions to reject refer to the fact that the movants' contracts[1] with Apco do not permit unilateral rate schedule changes and, therefore, fall within the Mobile-Sierra doctrine. On October 19, 1972, Apco filed with this Commission a request to defer action on the motions to reject. Apco indicated it could expect to file a complete answer to the motion to reject within the 15 day period provided by §§ 1.8(e) and 1.13(g) of the Commission's rules. We shall defer ruling upon such motions to reject pending receipt of Apco's answer. However, we intend to act expeditiously thereafter in order to assure the issuance of any ruling on the subject motion prior to the expiration of the 5-month suspension period.

The Commission finds:

(1) Participation by the petitioners for intervention in this proceeding may be in the public interest.

(2) The proposed increased rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful under section 205 of the Federal Power Act and accordingly shall be suspended as hereinafter ordered.

(3) APCO's request for waiver of the 60-day filing requirement under § 35.13 (b) (4) (i) and (5) (i) is reasonable and proper.

(4) APCO's filing should be accepted as validly initiating a proceeding under section 205 of the Federal Power Act.

The Commission orders:

(A) APCO's filing is accepted as validly initiating a proceeding under section 205 of the Federal Power Act. Pending a hearing and decision thereon, this portion of the filing is hereby suspended for 5 months and the use thereof deferred until March 22, 1973. Increased rates and charges collected after March 22, 1973, and found by the Commission in this proceeding to be unjustified shall be refunded according to the Commission's regulations.

(B) The petitioners for intervention are hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided, however,* That participation of the intervenors shall be limited to the matters affecting asserted rights and interests specifically set forth in the petitions to intervene: And *Provided, further,* That admission of the intervenors shall not be construed as recognition by the Commission that the intervenors may be aggrieved by any order entered in the proceeding.

(C) Pending a hearing and decision thereon the subject increased rates and charges collected after March 22, 1973, found by the Commission in this proceeding to be unjustified, shall be refunded according to the Commission's regulations.

(D) Pursuant to the authority of the Federal Power Act, particularly section 205(d) thereof, the Commission's rules of practice and procedure, and the regulations under the Federal Power Act (18 C.F.R., Chapter I), a public hearing shall be held, commencing with a prehearing conference on February 20, 1973, at 10 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, concerning the lawfulness of the rates, charges, classifications and services contained in APCO's rate increase filing.

(E) At the prehearing conference on February 20, 1973, APCO's prepared testimony (Statement P) together with its entire rate filing shall be admitted to the record as its complete case-in-chief subject to appropriate motions, if any, by parties to the proceeding. All parties will be expected to come to this conference prepared to effectuate the provisions of §§ 1.18 and 2.59 of the Commission's rules of practice.

(F) On or before January 23, 1973, the Commission Staff shall serve its prepared testimony and exhibits. The prepared testimony and exhibits of any or all intervenors shall be served on or before February 13, 1973. Any rebuttal evidence by APCO shall be served on or before February 27, 1973. Cross-examination of the evidence filed will commence March 13, 1973.

(G) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control the proceeding in accordance with the policies expressed in section 2.59 of the Commission's rules of practice and procedure.

(H) Pending hearing and a final decision in the proceeding, APCO's rate filing tendered on September 21, 1972, is suspended and the use thereof deferred until March 22, 1973.

(I) APCO's petition for waiver of the 60-day filing requirements of § 35.13(b) (4) (i) and (5) (i) is hereby granted.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-18377 Filed 10-26-72;8:54 am]

[1] FPC Rate Schedule Nos. 26-27, 30, 48, 50-51.

[Docket No. CP73-45, etc.]

MICHIGAN WISCONSIN PIPE LINE CO. ET AL.

Order Denying and Dismissing Applications

OCTOBER 19, 1972.

On September 29, 1972, Southern Natural Gas Co. (Southern Natural) and Michigan Wisconsin Pipe Line Co. (Michigan Wisconsin) filed in Dockets Nos. CP73-45 and CP73-49 an application to continue deliveries, commenced under color of § 157.22 of the regulations, beyond the 60-day limit set forth in the regulations.[1] The reasons therefore, state Southern Natural and Michigan Wisconsin, are that "Michigan Wisconsin needs the deliveries from Southern Natural to replace throughput of gas while facilities are out of service during construction." The Commission also is referred to the emergency notifications and the applications in Dockets Nos. CP73-45 and CP73-49.

Michigan Wisconsin, by telegram received July 31, 1972, informed the Commission that it had commenced an emergency receipt of gas from Southern Natural pursuant to § 157.22 of the Commission's regulations. By telegram received August 2, 1972, Southern Natural informed the Commission that it had commenced, pursuant to § 157.22 of the regulations, emergency deliveries of gas to Michigan Wisconsin. The stated emergency, according to both parties, was a "curtailment of supply" for Michigan Wisconsin, due to "installation of facilities authorized by the Commission requir[ing] Michigan Wisconsin to take existing facilities out of service."[2]

Michigan Wisconsin, by letter received August 7, 1972, and Southern Natural, by letter received August 14, 1972, filed statements in compliance with § 157.22(c) of the Commission's regulations. These letters contain no new information concerning the nature of the alleged emergency.

On August 14, 1972, Michigan Wisconsin in Docket No. CP73-45 and Southern Natural in Docket No. CP73-49, filed applications pursuant to section 7(c) of the Natural Gas Act seeking to authorize the deferred exchange of natural gas between Michigan Wisconsin and Southern Natural, which had already commenced under color of § 157.22 of the Commission's regulations, as set forth above. Notice of the applications in Dockets Nos. CP73-45 and CP73-49 was issued on August 30, 1972, and published in the FEDERAL REGISTER on September 7, 1972 (37 F.R. 18118).

The applications reflect that Southern Natural would deliver gas to Michigan Wisconsin on a best-efforts basis during the period July 1, 1972, to December 1, 1972. Michigan Wisconsin, in turn, would redeliver to Southern Natural one-quarter of the total volume during the period December 1, 1973, through March 31, 1974, and the balance during the period December 1, 1974, through March 31, 1975.

The applications contain the exchange agreement between Michigan Wisconsin and Southern Natural. The maximum daily delivery would be 200,000 Mcf. The maximum total delivery would be 3,600,000 Mcf.

[1] Southern Natural and Michigan Wisconsin styled their pleading a "Motion to waive limitation on deliveries under § 157.22 until order on application."

[2] The facilities referred to were authorized in Dockets Nos. CP72-87 and CP72-125.

On August 18, 1972, Atlanta Gas Light Co. (Atlanta) requested the Commission to issue an order pursuant to 1.6(d) of the Commission's rules of practice and procedure requiring Southern Natural to show cause within 5 days of such order why it should not be required to immediately cease and desist delivering all quantities of gas to Michigan Wisconsin under an exchange agreement dated July 1, 1972.

Atlanta contends that Michigan Wisconsin and Southern Natural have failed to make an adequate showing of the existence of an emergency, which is a necessary prerequisite for invoking § 157.22 of the regulations. Atlanta argues that the letters of notification failed to adequately describe the "emergency" operations. Atlanta further urges that any interruption from Michigan Wisconsin's traditional gas supply due to the installation of facilities authorized was foreseeable and should have been dealt with as part of the proceedings to authorize those facilities. Atlanta also argues that the deliveries of gas are anticipated to continue up to December 1, 1972, for a period well in excess of the 60-days contemplated by § 157.22 of the regulations. Atlanta complains, finally, that the notification did not include the exchange agreement dated July 1, 1972.[3]

Atlanta contends that Southern Natural's deliveries to Michigan Wisconsin are inconsistent with Southern Natural's allegations of shortages in its gas supply.[4] Atlanta states that as a result of curtailments by Southern Natural for the alleged purpose of filling the Mouldon storage facility, Atlanta suffered severe curtailment resulting in reductions of 20.1 percent deliveries to Atlanta for April, May, and June of 1972 as compared to the same deliveries in 1971. Atlanta states unless Southern Natural is ordered to immediately cease and desist delivering volumes of gas to Michigan Wisconsin, it may well continue to "unlawfully curtail Atlanta for the purpose of making such deliveries." Atlanta argues that the emergency provisions under § 157.22 of the regulations were not intended to permit the delaying of notice of an exchange such as the one entered into.

On September 11, 1972, Southern Natural filed an answer to Atlanta's application for the order to show cause. Southern Natural argues that an order to show cause is improper and unnecessary because: (a) The volume of gas and period of time concerned "are relatively minor," (b) there will be a benefit to Southern Natural in obtaining free storage service from Michigan Wisconsin, (c) the exchange agreement will enable Michigan Wisconsin to fill its storage at a time when part of its gas supply system is out of service, and (d) Atlanta has a full opportunity to intervene in the certificate proceeding in Docket No. CP73-49.

Section 157.22(a) of the regulations provides:

> Public interest does not require the issuance of a certificate for the construction and operation of facilities or the sale of natural gas necessary to assure maintenance of adequate natural gas service where interruption or serious curtailment of service exists or is threatened because of failure of facilities or failure or curtailment of supply or unusual and unexpected demand on such facilities or supply, and where such acts and operations are limited to a single period of not more than 60 days;

It is our conclusion that neither the telegrams nor the letters from Michigan Wisconsin and Southern Natural state reasons sufficient to justify an emergency exchange pursuant to § 157.22 of the regulations.[5] A fortiori, Southern Natural and Michigan Wisconsin should not be permitted to continue deliveries beyond the 60-day period set forth in the regulations under this exchange without certificate authorization.

We find no merit in Southern Natural's arguments. In the first place, the quantities of gas involved are not determinative as to whether a hearing is required. Second, the stated benefits to Southern Natural and Michigan Wisconsin—although they might justify the issuance of a permanent certificate of public convenience and necessity after a statutory hearing—do not justify emergency action. Finally, the mere fact that Atlanta has an opportunity to intervene in a permanent certificate proceeding does not excuse an exchange pursuant to § 157.22 of the regulations where there is no apparent emergency.

Accordingly, we will deny the application of Southern Natural and Michigan Wisconsin to continue deliveries beyond the 60-day limit set forth in § 157.22 of the regulations. In light of this, it is appropriate to terminate Atlanta's application for an order to show cause in Docket No. CP73-51.

The further exchange of gas between Michigan Wisconsin and Southern Natural can be considered as part of the applications in Dockets Nos. CP73-45 and CP73-49. If any party to those proceedings so desires, it may petition for expedited consideration.

The Commission finds:

A review of the filings before us fails to disclose an emergency sufficient to justify the requested waiver of the time limitation in § 157.22 of the regulations. Consequently, the application to continue deliveries beyond the 60-day limit should be denied.

The Commission orders:

(A) The application to continue deliveries beyond the 60-day limit is denied.

(B) Atlanta's application for an order to show cause is dismissed as moot.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary*.

[FR Doc.72-18378 Filed 10-26-72;8:54 am]

[Docket No. E-7788]

MINNESOTA POWER & LIGHT CO.

Notice of Application

OCTOBER 24, 1972.

Take notice that on October 13, 1972, Minnesota Power & Light Co. (Applicant) filed an application with the Federal Power Commission seeking an order pursuant to section 204 of the Federal Power Act authorizing the company to enter into a guaranty agreement with the Trustee of Pollution Control Revenue Bonds to be issued by the village of Cohasset, Minn., in the amount of $15 million which bonds will be sold by the village as soon as possible after obtaining approval of this guaranty.

Applicant is incorporated under the laws of the State of Minnesota, with its principal place of business at Duluth, Minn., and is engaged in the electric utility business within the State of Minnesota.

The bonds of the village will be sold to purchase pollution abatement equipment at Minnesota Power & Light Co.'s Clay Boswell Steam Electric Generating Station adjacent to Cohasset, Minn., which installation is expected to be completed in 1973. Said equipment will be leased by the village to the Applicant and payments under said lease will be sufficient to pay principal, premium if any, and interest due on said bonds. The bonds will not be issued by the Applicant. The rate of interest will be negotiated at a private sale of the bonds between the village and the underwriters.

The authorization sought is for Applicant to issue an independent guaranty to the trustee for the benefit of the holders of the bonds of payment of principal, premium if any, and interest on said bonds. No payments will be required under the guaranty if all payments are made pursuant to the lease.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 3, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to

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[3] As noted above, however, Michigan Wisconsin and Southern Natural's applications both contained this agreement.

[4] See generally: Southern Natural Gas Co., Curtailment Proceeding, Docket No. RP72-74. Atlanta states that Southern represented to the Commission that a summer curtailment program was required in order to fill its Mouldon storage facilities and that little or no excess gas above contract demand obligations would be available during the 1972 storage injection season.

[5] We note that Michigan Wisconsin has not curtailed its service, whereas Southern Natural has. In fact, we recently found that Michigan Wisconsin was in a relatively strong gas supply situation. See: Finding and order waiving intermediate decision and granting certificate of public convenience and necessity after statutory hearing, issued July 20, 1972, Michigan Wisconsin Pipe Line Co., Docket No. CP72-175.

the proceeding. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-18376 Filed 10-26-72;8:54 am]

[Dockets Nos. CI72-834, CP72-274]

NAVARRO GAS PRODUCTION CO. ET AL.

Order Consolidating Proceedings, Granting Interventions, Providing for Hearing, and Establishing Procedures

OCTOBER 20, 1972.

By order issued August 10, 1972, in Docket No. CI72-834, we issued a limited-term certificate of public convenience and necessity to Navarro Gas Production Co. and Louisiana Gas Production Co., Division of Commercial Solvents Corp. (Navarro) authorizing them to sell natural gas in interstate commerce to Mid Louisiana Gas Co. (Mid Louisiana) and for the construction and operation of any jurisdictional facilities necessary therefor. The certificate expires December 1, 1972.

Petitions to intervene were timely filed by Mid Louisiana and Mississippi River Transmission Co. (Mississippi). Each petitioner requested the Commission to act favorably on the application filed by Navarro.

On June 2, 1972, Georgia-Pacific Corp. (GP) filed an application for a certificate of public convenience and necessity requesting authorization to construct and operate facilities required to attach additional supplies of natural gas in the Monroe Field in Louisiana to its certificated pipeline system. GP is a direct interruptible customer of Mississippi and proposes to use the additional supplies of gas in its Crossett, Ark., paper products plants in the event of total curtailment by Mississippi.

By letter dated October 2, 1972, Mid Louisiana filed a statement of position in Docket No. CP72-274 stating that the application filed by GP requests authorization to purchase the same or similar quantities of gas from Navarro as is presently being purchased by Mid Louisiana under Docket No. CI72-834 authorization. Mid Louisiana states that it is interested in continuing its purchase from the producers and has offered them terms that it believes are at least equal to the offers received from others including GP. By telegram filed October 5, 1972, GP responded to Mid Louisiana's letter stating that the gas will not be limited to plant fuel as contended by Mid Louisiana, but will also be used for plant purposes. Further, GP referred to the telegram filed by Navarro on September 7, 1972, wherein they advised that, at the conclusion of the emergency sale to Mid Louisiana, the gas will then be sold to GP or else used by Navarro in their plant operations. They state that the gas will not be sold in interstate commerce under any circumstance.

The proceedings in Dockets Nos. CI72-834 and CP72-274 contain common questions of fact and law and, consequently, should be consolidated for purposes of hearing and decision. Further, an evidentiary record should be made to develop the public interest issues involved in issuing a certificate of public convenience and necessity to GP including the proposed end-use.

The Commission finds:

(1) Good cause exists to consolidate the proceedings in Dockets Nos. CI72-834 and CP72-274 for purposes of hearing and decision, to set the consolidated proceeding for formal hearing, and to establish procedures for that hearing.

(2) The participation of Mid Louisiana and Mississippi in this proceeding may be in the public interest.

The Commission orders:

(A) The proceedings in Dockets Nos. CI72-834 and CP72-274 are hereby consolidated for purposes of hearing and decision.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing shall be held on November 14, 1972, at 10 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 441 G Street, NW., Washington, DC 20426, concerning the public interest issues involved in this consolidated proceeding.

(C) On or before October 30, 1972, Navarro, GP, and those in support shall serve with the Commission and upon all parties including staff their prepared testimony and exhibits in support of their position.

(D) On or before November 10, 1972, all other parties desiring to present their views shall serve with the Commission and upon all other parties to the proceeding their testimony and exhibits in support of their position.

(E) An Administrative Law Judge to be designated by the Chief Administrative Law Judge for the purpose (see Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearings in this consolidated proceeding and shall prescribe relevant procedural matters not herein provided.

(F) Mid Louisiana and Mississippi are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in the respective petitions to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition that they or any of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.72-18379 Filed 10-26-72;8:54 am]

[Docket No. RP72-103]

UNION TEXAS PETROLEUM ET AL.

Order Granting Relief and Terminating Proceeding

SEPTEMBER 25, 1972.

On January 28, 1972, Union Texas Petroleum, a division of Allied Chemical Corp. (Complainant), filed a complaint against Stephens & Cass, a partnership, and El Paso Natural Gas Co. (El Paso) alleging that Stephens & Cass has acquired an interest in oil lands in Reagan County, Tex., designated as the Boyd lease, Tracts 52 and 54 of the Spraberry Aldwell Unit; is producing casinghead gas from such properties; and is selling said casinghead gas to El Paso in derelicition of a preexisting contract for sale of gas to Complainant which was made between the previous interest holder in Stephens & Cass' oil leasehold, Oil and Gas, Inc., and Complainant. Complainant requests that Stephens & Cass be directed to discontinue its sales of natural gas from the above-described leasehold to El Paso and to resume such sales to Complainant.

Stephens & Cass' answer, filed in the form of a letter received February 10, 1972, states that it is unable to afford the costs of litigating before the FPC and further asserts that the contract cited by Complainant is void and has expired.

El Paso's answer, filed on March 8, 1972, states that El Paso contracted to receive the gas in question upon the assurances by Stephens & Cass that it was empowered to deliver the gas. Subsequent examination has convinced El Paso that Complainant has a contractual right to receive the gas. El Paso submits that it is willing to discontinue receipt of the gas upon an order of the Commission affirming the legitimacy of Complainant's claim to a right of delivery.

The complaint and answer raise no factual issues that require an evidentiary hearing. El Paso concedes that Complainant is contractually entitled to receive the gas in issue. Stephens & Cass inferentially agree that the terms of the contract, if valid, could require delivery of the gas to Complainant. However, they place in issue the validity of the contract, which issue properly should be tried in a State court having jurisdiction over the subject matter. Accordingly, we will require the contract between Complainant and Stephens & Cass to be enforced until a proper authority rules otherwise.

The Commission finds:

(1) Union Texas Petroleum and El Paso Natural Gas Co. are both "natural gas companies" within the meaning of the Natural Gas Act.

(2) Good cause exists to grant Complainant the relief requested.

(3) Good cause exists for terminating this proceeding as hereinafter ordered.

The Commission orders:

(A) Stephens & Cass is hereby directed to terminate deliveries of the gas in question to El Paso and to begin or resume such deliveries to Complainant.

(B) The proceeding in Docket No. RP 72-103 shall be deemed terminated upon publication of this order.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-18380 Filed 10-26-72;8:54 am]

[Dockets Nos. RI71-691, RI73-70]

AMOCO PRODUCTION CO.

Notice of Postponement of Prehearing Conference

OCTOBER 18, 1972.

On October 13, 1972, Amoco Production Co., filed a telegram requesting that the prehearing conference fixed for November 7, 1972, by order issued October 6, 1972, be postponed to December 12, 1972. On October 16, 1972, Phillips Petroleum Co., filed a telegram supporting a postponement of the conference.

Upon consideration, notice is hereby given that the prehearing conference in the above-designated matter is postponed to December 12, 1972, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426, at 10 a.m., e.s.t.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-18335 Filed 10-26-72;8:50 am]

[Docket No. CP73-78]

DISTRIGAS CORP.

Notice of Application

OCTOBER 20, 1972.

Take notice that on September 21, 1972, Distrigas Corp. (applicant), 125 High Street, Boston, MA 02110, filed in Docket No. CP73-78 an application pursuant to section 3 of the Natural Gas Act requesting authorization to import by ship into the United States from Algeria up to 2,570,000 cubic meters (approximately 59 trillion B.t.u.) of liquified natural gas (LNG) from July 1, 1973, to July 1, 1975, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to import up to 2,570,000 cubic meters of LNG by cryogenic tanker from Algeria to the deepwater terminals located at Staten Island, N.Y., and at Everett, Mass., owned by applicant's affiliates, Distrigas of New York Corp., and Distrigas of Massachusetts Corp., respectively. Pursuant to the provisions of agreement dated May 30, 1972, applicant is to receive 170,000 cubic meters of LNG between July 1 and November 15, 1973, and the remaining 2,400,000 cubic meters from November 15, 1973, to July 1, 1975, from Alocean, Ltd., a Bermuda corporation organized by Gaxocean International, S.A., and Sonatrach. Applicant states that the LNG is to be delivered from surplus LNG, which is expected to be available from the gas liquefication plant at Skida, Algeria, in excess of the quantities necessary to carry out the obligations previously agreed upon in the contract between Sonatrach and Gaz de France dated February 3, 1971, and between Sonatrach and Alocean, Ltd., dated September 10, 1970, which is an underlying LNG supply agreement for applicant's importation project in Docket No. CP70-196. The natural gas will be produced from the Hassi R'Mel Field in Algeria.

Pursuant to the May 30, 1972, agreement, applicant will purchase LNG from Alocean, Ltd., for a price of 40 cents per million B.t.u., increasing 0.5 cent on July 1, 1973, and July 1, 1974, and a transportation charge as follows:

60 cents per million B.t.u. for the first 20 trillion B.t.u.,
42 cents per million B.t.u. for the next 20 trillion B.t.u., and
30 cents per million B.t.u. for the quantities in excess of 40 trillion B.t.u.

Applicant expects that transportation to the United States of the LNG will be made on several ships including the Descartes and the Benjamin Franklin, a ship now under construction, both owned by Gazocean.

Applicant states that the proposed importation is necessary in order to meet fuel requirements for essential uses during the 1973-74 and 1974-75 heating seasons.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 13, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-18305 Filed 10-26-72;8:48 am]

[Docket No. E-6577]

FALCON DAM PROJECT

Notice of Request for Approval of Rate Schedule

OCTOBER 20, 1972.

Notice is hereby given that the Secretary of the Interior, acting on behalf of the Bureau of Reclamation (Bureau) and pursuant to the provisions of Public Law 406, 83d Congress, approved June 18, 1954 (68 Stat. 255), as amended, has filed with the Federal Power Commission a request in Docket No. E-6577 for confirmation and approval of a proposed rate schedule for wholesale electric power service from the United States share of power from the Falcon Dam Project to Central Power & Light Co. (Central), Corpus Christi, Tex. Approval of the proposed rate schedule is requested for a 5-year period beginning January 1, 1973. The present rate schedule was approved by Commission order issued December 7, 1967, Docket No. E-6577 (38 FPC 1133), for the period which expires December 31, 1972.

The International Falcon Dam is located on the Rio Grande astride the boundary between the United States and Mexico. It was constructed by the International Boundary and Water Commission, United States and Mexico (IBWC), as a multipurpose project. Since its completion in 1954, the electric power plant has been operated by the U.S. section of IBWC. Pursuant to treaty arrangements, the electric energy generated at the project is equally divided between the United States and Mexico. The U.S. share of this energy is marketed by the Bureau.

The proposed rate schedule provides for Central to pay the Bureau for the electric service furnished at 4 mills per kilowatt-hour for energy delivered between the hours of 8 a.m. and 10 p.m. (Saturdays and Sundays excepted) and 1.75 mills per kilowatt-hour for energy delivered at any other time.

The proposed rate schedule is the same as the present rate schedule except that the provisions limiting revenues to $300,000 for the first 100 million kilowatt-hours delivered during any calendar year and to a 1-mill-per-kilowatt-hour charge for all energy delivered in excess of 100 million kilowatt-hours per year have been eliminated. Such changes will increase revenues for those years when sales exceed 100 million kilowatt-hours.

Contractual arrangements between the Bureau and Central provide that at times when electric power and energy is not available from the Falcon Dam Project for operations of project facilities, Central shall deliver to the Bureau for the operation of the project facilities such energy as may be required for that purpose. The energy shall be returned by the Bureau to Central kilowatt-hour for kilowatt-hour at times and rates of delivery to be mutually agreed upon. Furthermore, Central, under its contract with the Bureau, may demand and receive

payment from the Bureau adequate to balance the interchange energy account under any or all of the following conditions: (1) Upon termination of the contract, which expires December 31, 1977, (2) by mutual agreement between the Bureau and Central at any time during the term of the contract, or (3) when the account remains unbalanced for a period of 1 year. Settlement of the interchange energy account by payment shall be at a net value of 3 mills per kilowatt-hour for all energy which may remain as a credit to Central in the account.

The proposed rate schedule is on file with the Commission and available for public inspection. Any person desiring to make comments or suggestions for the Commission's consideration with respect to said rate schedule should submit the same in writing on or before November 10, 1972, to the Federal Power Commission, Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-18307 Filed 10-26-72;8:48 am]

[Docket No. CP73-93]

NORTHERN NATURAL GAS CO.

Notice of Application

OCTOBER 18, 1972.

Take notice that on October 5, 1972, Northern Natural Gas Co. (applicant) 2223 Dodge Street, Omaha, NE 68102, filed in Docket No. CP73-93 a budget-type application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1973, and the operation of certain natural gas purchase facilities including horsepower and pipeline additions to its present gathering systems, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system, supplies of natural gas in various producing areas generally coextensive with said system.

The total cost of the facilities proposed herein is not to exceed $7 million with no single project to exceed $1 million. Applicant plans to finance these costs from cash on hand and from funds generated through operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 7, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-18336 Filed 10-26-72;8:51 am]

[Project No. 309]

PENNSYLVANIA ELECTRIC CO.

Notice of Issuance of Annual License

OCTOBER 19, 1972.

On March 2, 1970, Pennsylvania Electric Co., Licensee for Piney Development Project No. 309 located on the Clarion River, Clarion County, Pa., filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6).

The license for Project No. 309 was issued effective October 13, 1922, for a period ending October 12, 1972. In order to authorize the continued operation of the project pursuant to section 15 of the Act pending completion of Licensee's application and Commission action thereon it is appropriate and in the public interest to issue an annual license to Pennsylvania Electric Co., for continued operation and maintenance of Project No. 309.

Take notice that an annual license is issued to Pennsylvania Electric Co. (Licensee) under section 15 of the Federal Power Act for the period October 13, 1972, to October 12, 1973, or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Piney Development Project No. 309, subject to the terms and conditions of its license.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-18337 Filed 10-26-72;8:51 am]

[Docket No. E-7783]

PENNSYLVANIA POWER & LIGHT CO.

Notice of Proposed Changes in Rates and Charges

OCTOBER 19, 1972.

Take notice that on October 6, 1972, Pennsylvania Power & Light Co., tendered for filing proposed changes in its FPC Rate Schedules Nos. 12, 26, 27, 28, 29, 30, 32, 34, 36, 42, 45, 47, 50, 51, and 52, to become effective on December 5, 1972. The filing purports to show that approximately $664,696 additional revenues based on the 12 months ended December 31, 1971, as adjusted, will result from the proposed increased rates.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before November 13, 1972. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-18338 Filed 10-26-72;8:51 am]

[Docket No. CI72-674 etc.]

TEXAS GAS EXPLORATION CORP. ET AL.

Order Consolidating Proceedings and Granting Interventions

OCTOBER 20, 1972.

Texas Gas Exploration Corp. (Texas Gas),[1] Gulf Oil Corp. (Gulf),[2] and Southern Natural Gas Co. (Southern Natural),[3] have filed applications for certificates for sale and delivery of natural gas in interstate commerce to United Gas Pipe Line Co. (United) from the Garden City Field Area, St. Mary Parish, La. In each of the above applications, applicant's interest in the Garden City Field acreage was previously sold to United pursuant to operating agreements with the "Cullen Family." The various members of the "Cullen Family" were issued small producer certificates effective May 2, 1971, covering their sales to United.

Columbia Gas Transmission Corp. (Columbia) has, at this time, filed petitions for intervention in and opposes two of the above three applications, those of Texas Gas and Gulf. Columbia maintains that the proposed sales will adversely

[1] In Docket No. CI72-674 on Apr. 18, 1972.
[2] In Docket No. CI62-965 on Mar. 9, 1972.
[3] In Docket No. CP73-72 on Sept. 13, 1972.

affect its contractual rights in the Garden City field and states that applicants' interests in the subject gas are previously dedicated under a contract dated June 15, 1958, as amended by Agreement dated June 18, 1963, between the "Cullen Family" and Humble Oil & Refining Co. as sellers, and United as purchaser. By order issued September 18, 1972, in Docket No. CI72-674, the Commission set Texas Gas' application for hearing, scheduled a prehearing conference for October 3, 1972, and permitted Columbia's intervention. The scheduled conference was convened and immediately adjourned until October 24, 1972, for purposes of settlement.

The Commission notes that there exists an interrelationship involving similar issues between the applications of Texas Gas, Gulf, and Southern Natural, and concludes that their ultimate disposition would best be accomplished in a consolidated proceeding. The Commission therefore shall consolidate Docket No. CI72-674, Docket No. CI62-965, and Docket No. CP73-72. The Commission also notes that interventions of Columbia and United should be permitted in the consolidated proceedings.[4]

The Commission finds:

(1) It is necessary and appropriate that the proceedings in the above-named applications be consolidated for hearing and decision.

(2) It is desirable and in the public interest to allow the above-named petitioners to intervene in these consolidated proceedings in order that they may establish the facts and the law from which the nature and validity of their alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) Dockets Nos. CI72-674, CI62-965, and CP73-72 are consolidated for purposes of hearing and disposition.

(B) The above-named petitioners are permitted to intervene in this consolidated proceeding subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions to interevene: *And provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they or either of them might be aggrieved because of any order or orders of the Commission entered in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-18306 Filed 10-26-72;8:48 am]

[4] United filed petition to intervene in Dockets Nos. CI72-674 and CI62-965, on June 28, 1972. Columbia filed petition to intervene in Dockets Nos. CI72-674 and CI62-965, on May 30, 1972.

[Dockets Nos. RP73-52, RP73-53]

VALLEY GAS TRANSMISSION, INC.

Notice of Proposed Changes in Rates and Charges

OCTOBER 19, 1972.

Take notice that on October 3, 1972, Valley Gas Transmission, Inc. (Valley Gas) tendered for filing Second Revised Sheet Nos. 107-A and 138-A to its FPC gas tariff, Original Volume No. 1, proposed to be effective as of September 1, 1972. The tender proposes to increase jurisdictional revenues by approximately $26,400 per year based on sales for the 12-month period ended June 30, 1972.

Valley Gas states that the revised tariff sheets are designed to permit it to recover a portion of the Louisiana severance tax under gas sold to Iroquois Gas Corp. under Rate Schedule Nos. 5 and 8. The company further states that the reimbursement is provided for in the contracts on file as the above designated rate schedules and that the tender is made pursuant to Commission Order No. 456-B, issued on September 15, 1972. The company requests such waiver of the Commission's regulations under the Natural Gas Act as may be necessary to permit the revised rates to be effective as requested.

Any person desiring to be heard or to protest said application should file a protest, or a petition to intervene with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 31, 1972. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-18339 Filed 10-26-72;8:51 am]

FEDERAL RESERVE SYSTEM

BANCOHIO CORP.

Acquisition of Bank

BancOhio Corp., Columbus, Ohio, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to The Western Security Bank, Sandusky, Ohio. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 15, 1972.

Board of Governors of the Federal Reserve System, October 19, 1972.

[SEAL] MICHAEL A. GREENSPAN, *Assistant Secretary of the Board.*

[FR Doc. 72-18310 Filed 10-26-72;8:48 am]

COMMERCE BANCSHARES, INC.

Acquisition of Bank

Commerce Bancshares, Inc., Kansas City, Mo., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire more than 80 percent of the voting shares of Lexington Bank & Trust Co., Lexington, Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 16, 1972.

Board of Governors of the Federal Reserve System, October 20, 1972.

[SEAL] MICHAEL A. GREENSPAN, *Assistant Secretary of the Board.*

[FR Doc.72-18309 Filed 10-26-72;8:48 am]

COMMERCE BANCSHARES, INC.

Acquisition of Bank

Commerce Bancshares, Inc., Kansas City, Mo., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire more than 80 percent of the voting shares of Citizens Bank of Festus, Festus, Mo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 14, 1972.

Board of Governors of the Federal Reserve System, October 18, 1972.

[SEAL] MICHAEL A. GREENSPAN, *Assistant Secretary of the Board.*

[FR Doc.72-18311 Filed 10-26-72;8:48 am]

FIRST CITY BANCORPORATION OF TEXAS, INC.

Order Approving Acquisition of Bank

First City Bancorporation of Texas, Inc., Houston, Tex., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all the voting shares (except for directors' qualifying shares) of the successor by merger to First National Bank in Orange, Orange, Tex. (Bank). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of all the voting shares of Bank. Accordingly, the proposed acquisition is treated herein as the proposed acquisition of voting shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls 10 banks with total deposits of approximately $1.6 billion, representing about 5.2 percent of deposits of commercial banks in Texas and is the third largest banking organization in the State.[1] (All banking data are as of December 31, 1971, and represent bank holding company formations and acquisitions approved by the Board through September 15, 1972.) Acquisition of Bank (deposits of about $28 million) would increase applicant's share of statewide deposits by less than 0.1 of 1 percentage point and would not result in a significant increase in the concentration of banking resources in Texas.

Bank is the fifth largest bank in the Beaumont-Port Arthur-Orange area with approximately 4.5 percent of the total commercial bank deposits therein. There is no substantial existing competition between applicant's banking subsidiaries and Bank due to the intervening distances (applicant's closest banking subsidiary to Bank is some 95 miles from Orange). Moreover, there does not seem to be a reasonable probability of such competition developing in the future in view of Texas laws limiting branching and since the Beaumont-Port Arthur-Orange area does not appear particularly attractive for de novo entry as measured by the rate of population growth and the per capita bank deposits. In fact, applicant's acquisition of Bank could promote competition in the Beaumont-Port Arthur-Orange area by making Bank a more viable competitor to the larger banking organizations located there. On the basis of the facts of record, the Board concludes that competitive considerations are consistent with approval of the application.

[1] Applicant also has interests in 15 other Texas banks ranging from 0.02 to 14.3 percent of the voting shares of such banks.

The financial and managerial resources and prospects of applicant, its subsidiaries and Bank are regarded as generally satisfactory, particularly in view of the commitment of applicant to provide additional capital for its lead bank. Considerations relating to the convenience and needs of the community to be served lend some support to approval of the application since applicant proposes to assist Bank in providing a broader range of lending services. It is the Board's judgment that the proposed transaction is in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,[2] effective October 18, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-18312 Filed 10-26-72;8:48 am]

FIRST CONTINENTAL CORP.

Formation of Bank Holding Company

First Continental Corp., Boulder, Colo., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of The First National Bank of Brush, Brush, Colo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 14, 1972.

Board of Governors of the Federal Reserve System, October 18, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18313 Filed 10-26-72;8:48 am]

FORT WORTH NATIONAL CORP.

Acquisition of Bank

Fort Worth National Corp., Fort Worth, Tex., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire directly one voting share and indirectly (through its subsidiary The Fort Worth National Bank, Fort Worth, Tex.), 13 voting shares of Bank of Fort Worth (formerly West Side State Bank), Fort Worth, Tex., through a rights offering. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than November 15, 1972.

Board of Governors of the Federal Reserve System, October 19, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18314 Filed 10-26-72;8:48 am]

[2] Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, Sheehan, and Bucher.

FROST REALTY CO.

Acquisition of Bank

Frost Realty Co., San Antonio, Tex., has applied for the Board's approval under Section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of the successor by merger to Frost National Bank of San Antonio, to be named Frost Bank, N.A., San Antonio, Tex. The factors that are considered in acting on the application are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

Frost Realty Co. is also engaged in the following nonbank activities: Real estate management and investment and providing data processing services. In addition, Frost National Bank of San Antonio owns D. Ansley Co., a mortgage banking company. In addition to the factors considered under Section 3 of the Act (banking factors), the Board will consider the proposal in the light of the company's nonbanking activities and the provisions and prohibitions in Section 4 of the Act (12 U.S.C. 1843).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 14, 1972.

Board of Governors of the Federal Reserve System, October 18, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18315 Filed 10-26-72;8:49 am]

FROST REALTY CO.

Acquisition of Bank

Frost Realty Co., San Antonio, Tex., has applied for the Board's approval under Section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3))

to acquire 100 percent of the voting shares of the successor by merger to Citizens National Bank of San Antonio, to be named Citizens Bank, N.A., San Antonio, Tex. The factors that are considered in acting on the application are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

Frost Realty Co. is also engaged in the following nonbank activities: Real estate management and investment and providing data processing services. In addition to the factors considered under Section 3 of the Act (banking factors), the Board will consider the proposal in the light of the company's nonbanking activities and the provisions and prohibitions in Section 4 of the Act (12 U.S.C. 1843).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 14, 1972.

Board of Governors of the Federal Reserve System, October 18, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18316 Filed 10-26-72;8:49 am]

KEMMERER CORP.

Acquisition of Bank

The Kemmerer Corp., New York, N.Y., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 50 percent or more of the voting shares of First Wyoming Bancorporation, Kemmerer, Wyo., and thereby to acquire control of 50 percent or more of the voting shares of The First National Bank of Kemmerer, Kemmerer, Wyo. Notice of receipt of the application of First Wyoming Bancorporation to become a bank holding company through acquisition of 80 percent of the voting shares of the First National Bank of Kemmerer, Kemmerer, Wyo., was published in the FEDERAL REGISTER on August 17, 1972 (37 F.R. 16634). The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the applications should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 15, 1972.

Board of Governors of the Federal Reserve System, October 19, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18317 Filed 10-26-72;8:49 am]

MANUFACTURERS HANOVER CORP.

Acquisition of Bank

Manufacturers Hanover Corp., Dover, Del., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of Fidelity Bank of Colonie, Latham, N.Y. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 14, 1972.

Board of Governors of the Federal Reserve System, October 18, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18318 Filed 10-26-72;8:49 am]

SECURITY NATIONAL CORP.

Acquisition of Bank

Security National Corp., Sioux City, Iowa, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of Northwestern State Bank of Orange City, Orange City, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 14, 1972.

Board of Governors of the Federal Reserve System, October 18, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18319 Filed 10-26-72;8:49 am]

SECURITY NATIONAL CORP.

Proposed Acquisitions of Central Leasing Corp. and Siouxland Credit Corp.

Security National Corp., Sioux City, Iowa, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Boards' Regulation Y, for permission to acquire voting shares of Central Leasing Corp., Sioux City, Iowa, and Siouxland Credit Corp., Sioux City, Iowa. Notice of the applications was published on August 28, 1972, in the Sioux City Journal, a newspaper circulated in Sioux City, Iowa.

Applicant states that the proposed subsidiaries would engage in the following activities: The Central Leasing Corp. would engage in the business of leasing personal property and equipment, and Siouxland Credit Corp. and its subsidiaries would engage in the business of sales financing, cash loans, and insurance related to the extension of credit. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of these proposals can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices."

Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why these matters should not be resolved without a hearing.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than November 14, 1972.

Board of Governors of the Federal Reserve System, October 18, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18320 Filed 10-26-72;8:49 am]

UNITED BANKS OF COLORADO, INC.

Acquisition of Bank

United Banks of Colorado, Inc., Denver, Colo., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of National Bank of Delta, Delta, Colo. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 15, 1972.

Board of Governors of the Federal Reserve System, October 19, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary of the Board.

[FR Doc.72-18321 Filed 10-26-72;8:49 am]

GENERAL SERVICES ADMINISTRATION

ARCHIVES ADVISORY COUNCIL

Notice of Meeting

Notice is hereby given that the Archives Advisory Council shown below will meet at the time and place indicated. Anyone who is interested in attending, or wants additional information should contact the person shown below.

REGIONAL ARCHIVES ADVISORY COUNCIL

REGION 1

Meeting date, Nov. 14, 1972. Time, 10 a.m.–4 p.m. Place, Reservoir Control Center, Corps of Army Engineers, 424 Trapelo Road, Waltham, MA 02154.

For further information contact: Lawrence A. Carnevale, NARS Regional Commissioner, 26 Federal Plaza, New York, NY 10007, 212—264-3514.

The purpose of this meeting is to obtain support and guidance for new and on-going programs of the National Archives and Records Service, General Services Administration.

Issued in Washington, D.C., on October 19, 1972.

JAMES B. RHOADS,
Archivist of the United States.

[FR Doc.72-18368 Filed 10-26-72;8:54 am]

[Federal Property Management Reg.; Temporary Reg. F-158]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in an electric and gas service rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.*

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Colorado Public Utilities Commission in a proceeding (I and S No. 746) involving the application of the city of Colorado Springs for increased rates.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,
Acting Administrator of General Services.

OCTOBER 19, 1972.

[FR Doc.72-18367 Filed 10-26-72;8:53 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY COMMITTEE FOR COMPUTING ACTIVITIES

Notice of Public Meeting

Pursuant to Executive Order 11671, notice is hereby given that a meeting of the Advisory Committee for Computing Activities will be held at 9 a.m. on November 2, 1972, and at 9:30 a.m. on November 3, 1972, in Room 540, 1800 G Street NW., Washington, DC 20550. The purpose of this committee is to advise, counsel, and furnish critical review with respect to exploring and developing the uses of computers in education and research and society.

The agenda for this meeting will include:

NOVEMBER 2 SESSION

1. Remarks by the Chairman of the committee; by the Assistant Director for National and International Programs; and by the Office Head, Office of Computing Activities.
2. Status report on Computer Science and Engineering and discussion of program emphasis and opportunities.
3. Status report on Computer Applications in Research, and discussion on software improvement program and possible new initiatives.
4. Remarks by the Acting Office Head, Office of Science Information Service.
5. Status report on Computer Impact on Society, and discussion on Computer Impact on Society objectives, mechanism, and role.

NOVEMBER 3 SESSION

1. Remarks by the Director of the National Science Foundation.
2. Discussion of Network Initiatives.
3. Discussion of Computer Science and Engineering and its role in the total Federal picture.
4. Organization of the Annual Report.

The meeting will be open to the public and persons who desire to attend should notify the Office of Computing Activities by telephone (202—632-5960) or by mail (Room 648; 1800 G Street NW., Washington, DC 20550) prior to the meeting.

For further information respecting the committee, contact Dr. John R. Pasta, Office Head, Office of Computing Activities; Room 648, 1800 G Street NW., Washington, DC 20550. Summary minutes of this meeting may be obtained from the Management Analysis Office, Room 245, 1800 G Street NW., Washington, DC 20550.

T. E. JENKINS,
Assistant Director for Administration.

OCTOBER 19, 1972.

[FR Doc.72-18349 Filed, 10-26-72;8:52 am]

ADVISORY PANEL FOR THE INTERNATIONAL DECADE OF OCEAN EXPLORATION

Notice of Public Meeting

Pursuant to Executive Order 11671, notice is hereby given that a meeting of the Advisory Panel for the International Decade of Ocean Exploration (IDOE) will be held at 9:30 a.m. on November 14, 1972, in Room 642, 1800 G Street NW., Washington, DC 20550. The purpose of this panel is to provide guidance in shaping the policies of the IDOE program and to insure that areas of scientific research important to man's relationship to the oceans is not overlooked.

The agenda for this meeting will include:

1. Introduction by the Office Head, Office for the International Decade of Ocean Exploration (IDOE); and discussion of IDOE program progress.
2. Discussion of the Seabed Assessment Program.
3. Discussion of the Environmental Quality Program.
4. Discussion of the Environmental Forecasting Program.
5. Discussion of the Living Resources Program.
6. General discussion.

The meeting will be open to the public and persons who desire to attend should notify the Office for the International Decade of Ocean Exploration by telephone, 202—632-7356 or by mail, Room 710, 1800 G Street NW., Washington, DC 20550, prior to the meeting.

For further information respecting this panel, contact Mr. Feenan D. Jennings, Office Head, Office for the International Decade of Ocean Exploration, Room 701, 1800 G Street NW., Washington, DC 20550. Summary minutes of this meeting may be obtained from the Management Analysis Office, Room 245, 1800 G Street NW., Washington, DC 20550.

T. E. JENKINS,
Assistant Director for Administration.

OCTOBER 19, 1972.

[FR Doc.72-18350 Filed 10-26-72;8:52 am]

CERTAIN ADVISORY PANELS

Notice of Meetings

Pursuant to Executive Order 11671, notice is hereby given of meetings of the following committees, including the individuals to contact for further informa-

tion respecting each committee. The purpose of each of these advisory bodies is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects.

ADVISORY PANEL FOR DEVELOPMENTAL BIOLOGY

Date and time of meeting: 9 a.m. on November 2 and 3, 1972.

Location of meeting: Room 321, 1800 G Street NW., Washington, DC 20550.

Agenda: The agenda will be devoted to the review and evaluation of research proposals.

For further committee information, contact: Mrs. Ann Schauer, Assistant Program Director, Developmental Biology Program, Room 326, 1800 G Street NW., Washington, DC 20550.

ADVISORY PANEL FOR ENVIRONMENTAL BIOLOGY

Date and time of meeting: 9 a.m. on November 3 and 4, 1972.

Location of meeting: Room 338, 1800 G Street NW., Washington, DC 20550.

Agenda: The agenda will be devoted to the review and evaluation of research proposals assigned to the General Ecology and Ecosystem Analysis Programs.

For further information, contact: Dr. John L. Brooks, Program Director, General Ecology Program, Room 330, 1800 G Street NW., Washington, DC 20550.

ADVISORY PANEL FOR NEUROBIOLOGY

Date and time of meeting: 9 a.m. on November 9 and 10, 1972.

Location of meeting: Room 642, 1800 G Street NW., Washington, DC 20550.

Agenda: The agenda will be devoted to the review and evaluation of research proposals.

For further committee information, contact: Dr. James H. Brown, Program Director, Neurobiology Program, Room 333, 1800 G Street NW., Washington, DC 20550.

ADVISORY PANEL FOR METABOLIC BIOLOGY

Date and time of meeting: 9 a.m. on November 16 and 17, 1972.

Location of meeting: Room 321, 1800 G Street NW., Washington, DC 20550.

Agenda: The agenda will be devoted to the review and evaluation of research proposals.

For further committee information, contact: Dr. Elijah B. Romanoff, Program Director, Metabolic Biology Program, Room 323, 1800 G Street NW., Washington, DC 20550.

ADVISORY PANEL FOR EARTH SCIENCES

Date and time of meeting: 9 a.m. on November 16 and 17, 1972.

Location of meeting: Rooms 642 and 650, 1800 G Street NW., Washington, DC 20550.

Agenda: The agenda will be devoted to the review and evaluation of proposals and projects.

For further committee information, contact: Dr. William E. Benson, Section Head, Earth Sciences Section, Room 310, 1800 G Street NW., Washington, DC 20550.

These meetings will not be open to the public in accordance with the determination by the Director of the National Science Foundation dated August 23, 1972, pursuant to the provisions of Executive Order 11671, section 13(d).

T. E. JENKINS,
Assistant Director for Administration.

OCTOBER 19, 1972.

[FR Doc.72-18348 Filed 10-26-72; 8:52 am]

OFFICE OF EMERGENCY PREPAREDNESS

MINNESOTA

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Minnesota, dated August 30, 1972, and published September 2, 1972 (37 F.R. 17990), and amended September 29, 1972 (37 F.R. 21019), is hereby further amended. Notice is hereby given that on September 23, 1972, the President amended his declaration of a major disaster of August 25, 1972, for Minnesota as follows:

I have determined that the damages in certain areas of the State of Minnesota from severe storms and flooding, subsequent to August 21, 1972, are of sufficient severity and magnitude to warrant amendment of my declaration of August 25, 1972.

In order to provide Federal assistance, you are hereby authorized to extend the incidence period to September 20, 1972, as requested by Governor Anderson, and to allocate, from the funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

Dated: October 21, 1972.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[FR Doc.72-18351 Filed 10-26-72;8:52 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

CLINTON OIL CO.

Order Suspending Trading

OCTOBER 18, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.03⅓ par value, and all other securities of Clinton Oil Co., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from October 19, 1972, through October 28, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-18326 Filed 10-26-72;8:50 am]

[File No. 500-1]

ECOLOGICAL SCIENCE CORP.

Order Suspending Trading

OCTOBER 18, 1972.

The common stock, 2 cents par value, of Ecological Science Corp., being traded on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange, and Pacific Coast Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934, and all other securities of Ecological Science Corp., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15 (c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 20, 1972, through October 29, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-18325 Filed 10-26-72;8:50 am]

[File No. 500-1]

ROOSEVELT MARINA, INC.

Order Suspending Trading

OCTOBER 19, 1972.

It appearing to the the Securities and Exchange Commission that the summary suspension of trading in the common stock, no par value, and all other securities of Roosevelt Marina, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from 3 p.m., e.d.t., on October 19, 1972, through October 28, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-18327 Filed 10-26-72;8:50 am]

SMALL BUSINESS ADMINISTRATION

[MESBIC License Application No. 05/07-5088]

ASCENDING CITIZEN'S INVESTMENT CO.

Notice of Application for a License as a Minority Enterprise Small Business Investment Company

An application for a license to operate as a minority enterprise small business investment company (MESBIC) under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), has been filed by

Ascending Citizen's Investment Co. (Applicant) with the Small Business Administration (SBA) pursuant to § 107.102 of the SBA rules and regulations governing small business investment companies (13 CFR 107.102 (1972)).

The officers and directors of the applicant are as follows:

Harvey C. Jackson, Jr., President, Director, 4800 State Street, East St. Louis, IL 62205.
Ernest L. Wheeler, Vice President, Director, 4649 Shirley Place, St. Louis, MO 63115.
Leonard Johnson, Treasurer, Director, 791 North 41st Street, East St. Louis, IL 62205.
John L. Tweed, Manager, Secretary, Director, 5923 Piat Place, Centreville, IL 62206.
Janfrey D. Preston, Director, 2914 Jefferson Street, East St. Louis, IL 62205.
Clarence J. Rogers, Director, 102 Country Club Place, Belleville, IL 62223.
Ronald R. Steele, Director, 1716 North Park Drive, East St. Louis, IL 62204.

The applicant, an Illinois corporation, with its principal place of business located at 2000 State Street, East St. Louis, IL 62205, will begin operations with $150,000 of paid-in capital, consisting of 150,000 shares of common stock. All of the issued and outstanding stock will be owned by East St. Louis Ascending Citizen's Development Co., a nonprofit corporation located at the same address as the applicant and funded principally by the East St. Louis City Demonstration Agency.

According to the company's stated investment policy, its investments will be made solely in small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed owner and management, and the probability of successful operation of the applicant under that management, including adequate profitability and financial soundness in accordance with the Small Business Investment Act and the SBA rules and regulations.

Any person may, not later than 15 days from the date of publication of this notice, submit written comments to SBA on the proposed MESBIC. Any such communication should be addressed to the Associate Administrator for Operations and Investment, Small Business Administration, 1441 L Street NW., Washington, DC 20416.

A copy of this notice shall be published in a newspaper of general circulation in East St. Louis, Ill.

Dated: October 18, 1972.

ANTHONY G. CHASE,
Deputy Administrator.

[FR Doc.72-18328 Filed 10-26-72;8:50 am]

DEPARTMENT OF LABOR

Bureau of Labor Statistics

BUSINESS RESEARCH ADVISORY COUNCIL'S COMMITTEE ON CONSUMER AND WHOLESALE PRICES

Notice of Meeting

The BRAC Committee on Consumer and Wholesale Prices will meet at 9:30 a.m., November 17, 1972, in Room 2106, General Accounting Office Building, 441 G Street NW., Washington, DC. The agenda for the meeting is as follows:

I. CPI—Status report on CPI Revision to include progress on quarterly Consumer Expenditure Survey, Diary, Rent Sample and Point-of-Purchase Survey.

II. WPI—Report of progress in obtaining transactions prices, expanding pricing to new sectors and developing the General Price Index.

III. Selected papers including one on the proposed treatment of owner-occupied housing costs in the revised CPI.

Signed at Washington, D.C., this 20th day of October 1972.

GEOFFREY H. MOORE,
Commissioner of Labor Statistics.

[FR Doc.72-18388 Filed 10-26-72;8:55 am]

BUSINESS RESEARCH ADVISORY COUNCIL'S COMMITTEE ON FOREIGN LABOR AND TRADE

Notice of Meeting

The BRAC Committee on Foreign Labor and Trade will meet at 10 a.m., November 2, 1972, in Room 4454, General Acounting Office Building, 441 G Street NW., Washington, DC. The agenda for the meeting is as follows:

1. Wage Information, United States and Other Countries—A discussion of the problems of comparing wage levels, the variety of user needs, and the type of study which might be developed from existing data.

2. Status of Work on Productivity and Unit Labor Cost Comparisons—Updating of manufacturing trend series, and initiation of another industry study—the footwear industry.

3. Status of Work on International Price Competitiveness—A summary of the work to date and a discussion of the BRAC recommendations.

4. Task Force Report on BLS/AID Foreign Training—Summary and discussion of task force report.

Signed at Washington, D.C. this 20th day of October, 1972.

GEOFFREY H. MOORE,
Commission of Labor Statistics.

[FR Doc.72-18389 Filed 10-26-72;8:55 am]

Occupational Safety and Health Administration

[S-72-7]

UNITED STATES STEEL CORP.

Application for Variance and Interim Order; Grant of Interim Order

I. *Notice of application.* Notice is hereby given that United States Steel Corp., Pittsburg Works, Loveridge Road, Pittsburg, Calif. 94565, has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596, 29 USC 655) and 29 CFR 1905.11 for a variance, and for an interim order pending a decision on the application for a variance, from the requirement of 29 CFR 1910.27(c)(2), that a clear width of at least 15 inches be provided each way from the centerline of a fixed ladder, except when cages or wells are necessary.

Applicant certifies that the employees who will be affected by the variance have been notified of the application by delivery of a copy to the president of Local 14, United Steel Workers of America, by posting a copy of the application where notices to employees are normally posted, and by discussion at a meeting of the Pittsburg Works Joint Union-Management Safety and Health Committee. Employees have received notice, through the above means, of their right to petition for a hearing.

Applicant's operations involve the use of 278 fixed ladders of the type subject to the 15-inch clearance requirement of 29 CFR 1910.27(c)(2). Applicant states that the ladders are used by hookers to gain access to pipe stored in racks, and are immediately bounded by protruding pipes on either side so as not to comply with the 15-inch clearance requirement. Applicant argues that its present system is substantially safer than that required by the regulation. Meeting the requirement would mean that, rather than stepping directly onto the pipes, a hooker would have to step across a gap, which would substantially increase any risk of a fall. Applicant argues that the closer a ladder is to the pipes, the greater is the safety of the hooker's activity.

For further information, interested persons are referred to copies of the application which will be made available for inspection and copying, upon request, at the Office of Standards, Room 500, 400 First Street NW., Washington, DC 20210, and at Occupational Safety and Health Administration, U.S. Department of Labor, 100 McAllister Street, Room 1706, San Francisco, CA 94102.

All interested persons, including employers and employees who believe they will be affected by the grant or denial of the application for a variance, are

invited to submit written data, views, and arguments regarding the application within 30 days following the publication of this notice in the FEDERAL REGISTER. In addition, employers and employees who believe they would be affected by the grant or denial of the variance may request a hearing on the application within 30 days after the publication of this notice in the FEDERAL REGISTER, in conformity with the requirements of 29 CFR 1905.15. Submissions of written comments and requests for a hearing should be in quadruplicate and shall be addressed to the Office of Standards, Room 500, 400 First Street NW., Washington, DC 20210.

II. *Interim order.* It appears from the application for a variance and interim order, and supporting data, filed by United States Steel Corp., that the fixed-ladder arrangement presently in use at its Pittsburg Works, Loveridge Road, Pittsburg, Calif. provides employment and places of employment as safe and healthful as those which would prevail if the applicant were to make the changes necessary in order to comply with 29 CFR 1910.27(c)(2). It further appears that an interim order is necessary to prevent hardship to, and interruption of operations of, the applicant. *Therefore, it is ordered,* Pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 and 29 CFR 1905.11(c), that United States Steel Corp. be, and it is hereby, authorized to continue to use the fixed-ladder arrangement, as described above, at their Pittsburg Works, in lieu of complying with 29 CFR 1910.27(c)(2).

Applicant shall give notice to affected employees of the terms of this interim order by the same means required to be used to inform them of the application for a variance.

Effective date. This interim order shall be effective as of October 27, 1972, and shall remain in effect until a decision is rendered on the application for a variance.

Signed at Washington, D.C., this 20th day of October 1972.

G. C. GUENTHER,
Assistant Secretary of Labor.

[FR Doc.72-18373 Filed 10-26-72;8:53 am]

Office of the Secretary

IDAHO ET AL.

Determination of "Temporary Off" Indicator and Ending of Temporary Compensation Period

Pursuant to the provisions of section 202 of the Emergency Unemployment Compensation Act of 1971 (Public Law 92-224, Title II), hereinafter referred to as the Act, and 20 CFR 617.13(a), I hereby give notice of my determination that there is a "temporary off" indicator for the week ending September 16, 1972, in the States of Idaho, Maine, and Minnesota.

As provided in section 202(c)(3)(A)(i)(II) of the Act and 20 CFR 617.5 (b) and (c), the temporary compensation period in these States shall end on October 7, 1972, the last day of the third week following the week for which there is a "temporary off" indicator in that State. Under the Act, temporary compensation is not payable in the States of Idaho, Maine, and Minnesota for any week of unemployment which begins after October 7, 1972.

Signed at Washington, D.C. this 20th day of October 1972.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.72-18374 Filed 10-26-72;8:54 am]

INTERSTATE COMMERCE COMMISSION

[Notice 104]

ASSIGNMENT OF HEARINGS

OCTOBER 24, 1972.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 136679, Edwin J. Becker, doing business as Becker Transfer Co., now being assigned hearing January 29, 1973 (1 week), at Olympia, Wash., in a hearing room to be later designated.

MC 136358, John S. Badger, Common Carrier Application, MC 136362, Bob R. Thrush, Common Carrier Application, now being assigned hearing January 9, 1973 (1 day), at Denver, Colo., in a hearing room to be later designated.

MC 133748 Sub 3, Lile Moving & Storage Co., now being assigned hearing February 12, 1973 (1 week), at Olympia, Wash., in a hearing room to be later designated.

MC-C-7777, Allied Van Lines, Inc., investigation and revocation of certificates now assigned November 13, 1972, at Miami, Fla., will be held in Florida Public Service Commission Hearing Room, 5720 Southwest 17th Street, Miami, FL.

MC 98945 Sub 8, Thomas Cartage, Inc., now being assigned hearing January 15, 1973 (1 week), at Raton, N. Mex., in a hearing room to be later designated.

MC 69833 Sub 77, Associated Truck Lines, Inc., now being assigned January 15, 1973, at Indianapolis, Ind., in a hearing room to be later designated.

MC 133316 Sub 7, Frank R. Givigliano, doing business as Givigliano Transport, now being assigned hearing January 22, 1973 (1 week), at Denver, Colo., in a hearing room to be later designated.

MC 129984 Sub 2, Glenn Peterson, doing business as Peterson Transit, now being assigned January 16, 1973 (2 days), at Madison, Wis., in a hearing room to be later designated.

MC 95540 Sub 844, Watkins Motor Lines, now assigned November 6, 1972, at Washington, D.C., is canceled and the application is dismissed.

MC-F-11502, Holmes Freight Lines, Inc.—control—Byers Transportation Co., Inc., and Commercial Freight Lines, Inc., now assigned November 13, 1972, at Kansas City, Mo., is postponed indefinitely.

MC 117940 Sub 54, Nationwide Carriers, Inc., now assigned November 8, 1972, at New York, N.Y., will be held in Court Room No. 4, U.S. Custom Court, 1 Federal Plaza, New York, NY.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-18390 Filed 10-26-72;8:56 am]

Office of Proceedings

[Notice 87]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

OCTOBER 20, 1972.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representa-

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

tive, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing: (1) That it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC 1334 (Sub-No. 14), filed August 28, 1972. Applicant: RITEWAY TRANSPORT, INC., Post Office Box 20433, Phoenix, AZ 85036. Applicant's representative: J. Bruce Eastlake (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in the Navajo and Hopi Indian Reservations as off-route points in connection with authorized regular operations in Arizona held by applicant. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 2202 (Sub-No. 415), filed September 29, 1972. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, OH 44309. Applicant's representative: James W. Conner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the warehouse site of Western Electric located at or near Underwood, Iowa, as an off-route point in connection with applicant's present authority between Omaha, Nebr., and Chicago, Ill. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Washington, D.C.

No. MC 2202 (Sub-No. 417), filed September 11, 1972. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron OH 44309. Applicant's representative: James W. Conner, Post Office Box 471, Akron, OH 44309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon black*, except in bulk, from points in Louisiana to points in the United States, located on and east of U.S. Highway 61. NOTE: Applicant states that the requested authority will be tacked wherever possible to provide service to all authorized areas. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Akron or Cleveland, Ohio, or Washington, D.C.

No. MC 3255 (Sub-No. 11), filed October 3, 1972. Applicant: PEP TRUCKING CO., INC., 386 Henderson Street, Jersey City, NJ 07302. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, in pneumatic type equipment, from Clifton, N.J., and Brooklyn Eastern District Terminal, Brooklyn, N.Y., to Elmont, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 8535 (Sub-No. 42), filed September 28, 1972. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INCORPORATED, Interstate 83 at Route 439, Post Office Box 500, Baltimore, MD 21120. Applicant's representative: John Guandolo, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit or pipe; fittings, plastic or iron; couplings, plastic or iron; connections, plastic or other than plastic; valves, other than plastic; hydrants, other than plastic; and materials and supplies necessary for the installation thereof*, from the plantsite and warehouse facilities of the Clow Corp., located at or near Buckhannon, W. Va., to points in Delaware, Indiana, Kentucky, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 9268 (Sub-No. 14), filed August 24, 1972. Applicant: ALBERT FILLMORE doing business as FILLMORE TRANSPORTATION, 132 West Dudleytown Road, Bloomfield, CT 06002. Applicant's representative: Hugh M. Joseloff, 410 Asylum Street, Hartford, CT 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meat*, on hangers and in cartons, in refrigerated equipment, from Kearney, Linden, and Newark, N.J., to East Hartford, Conn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 13250 (Sub-No. 118), filed September 22, 1972. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, TX 77022. Applicant's representative: James M. Doherty, Suite 401, First National Life Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Construction, agricultural, maintenance, road building, logging, earth moving, excavating, mining, industrial and material handling machinery and equipment*, and (2) *parts, attachments, and accessories* for the items in (1) above, between the facilities of Tool Crib Co. of Seattle, Inc., at or near Seattle, Kent, and Lynnwood, Wash., on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, and Utah. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 19311 (Sub-No. 24), filed August 31, 1972. Applicant: CENTRAL TRANSPORT, INC., 34200 Mound Road, Sterling Heights, MI 48077. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, MI 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Calcium chloride* (except in bulk), from Ludington and Midland, Mich., to points in Illinois, Indiana, Kentucky, Ohio, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 20824 (Sub-No. 31), filed October 2, 1972. Applicant: COMMERCIAL MOTOR FREIGHT, INC., 2141 South High School Road, Indianapolis, IN 46241. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Crawfordsville, Ind., as an off-route point in connection with applicant's authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 28951 (Sub-No. 21), filed September 29, 1972. Applicant: ROSS

TRANSFER, INC., Post Office Box 271, Chadron, NE 69337. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the warehouse site of Western Electric located at or near Underwood, Iowa, as an off-route point in connection with applicant's regular route operations via Omaha, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 28961 (Sub-No. 26), filed September 27, 1972. Applicant: McDUFFEE MOTOR FREIGHT, INC., 3047 Lonyo Road, Detroit, MI 48209. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment). (A) Between Cincinnati, Ohio, and the plantsite of the Eaton Corp., at or near Cynthiana, Ky., from Cincinnati, Ohio, over U.S. Highway 27 to the plantsite of the Eaton Corp., at or near Cynthiana, Ky., and return over the same route, and (B) between Lexington, Ky., and the plantsite of the Eaton Corp., at or near Cynthiana, Ky., from Lexington, Ky., over U.S. Highway 25 to the junction of U.S. Highway 62, thence over U.S. Highway 62 to the plantsite of the Eaton Corp., at or near Cynthiana, Ky., and return over the same route, from Lexington, Ky., over U.S. Highway 27 to the plantsite of the Eaton Corp., at or near Cynthiana, Ky., and return over the same route. Restriction: Service under parts (A) and (B) above is restricted to traffic originating at or destined to the plantsite of the Eaton Corp., at or near Cynthiana, Ky. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 29120 (Sub-No. 144), filed October 2, 1972. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Sioux Falls, SD 57104. Applicant's representatives: Axelrod, Goodman, Steiner, and Bazelon, 39 South La Salle Street, Chicago, IL 60603 and H. Lauren Lewis, Post Office Box 769, Sioux Falls, SD 57101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the warehouse site of Western Electric located at or near Underwood, Iowa, as an off-route point in connection with applicant's operations via Omaha, Nebr. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 30844 (Sub-No. 430), filed October 2, 1972. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, IA 50702. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unpackaged and packaged acquariums and pet supplies*, from Benicia, Calif., to points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC 31462 (Sub-No. 18) (Amendment), filed August 3, 1972, published in the FEDERAL REGISTER issue of August 31, 1972, and republished in part as amended this issue. Applicant: PARAMOUNT MOVERS, INC., 231 North Lancaster Street, Dallas, TX 75203. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. NOTE: The sole purpose of this partial republication is to include the District of Columbia, which was erroneously omitted in the previous publication. The rest of the application remains as previously published.

No. MC 41951 (Sub-No. 15) (Correction), filed May 22, 1972, published in the FEDERAL REGISTER issue of August 31, 1972, and republished as corrected this issue. Applicant: WHEATLEY TRUCKING, INCORPORATED, 125 Brohawn Avenue, Post Office Box 458, Cambridge, MD 21613. Applicant's representative: M. Bruce Morgan, Post Office Box 786, Azar Building, Glen Burnie, MD 21061. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* except frozen or cold pack, from Cambridge, Md., to South Bend, Ind. NOTE: Applicant states that the existing authority cannot be tacked with its existing authority. The purpose of this republication is to more clearly set forth the origin and destination. If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md., or Philadelphia, Pa.

No. MC 44639 (Sub-No. 60), filed September 27, 1972. Applicant: L. & M. EXPRESS CO. INC., 220 Ridge Road, Lyndhurst, NJ 07071. Applicant's representative: Herman B. J. Weckstein, 60 Park Place, Newark, NJ 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials and supplies* used in the manufacture of wearing apparel (except commodities in bulk) between Franklin, Va., on the one hand, and, on the other, Crewe and Emporia, Va. and points in the New York, N.Y., commercial zone. NOTE: Applicant states that the requested authority can be tacked at Crewe and Emporia, Va., and New York, N.Y., with all authorized operations under MC 44639. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52579 (Sub-No. 133), filed September 11, 1972. Applicant: GILBERT CARRIER CORP., 1 Gilbert Drive, Secaucus, NJ 07094. Applicant's representative: W. Abel (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, loose, on hangers: (a) From Little Rock, Ark., Greenfield, Dresden, Rutherford, and Trenton, Tenn., Brownsville and Morgantown, Ky., to Newport, Del.; (b) from Rutherford and Trenton, Tenn., and Brownsville and Morgantown, Ky., to Philadelphia, Pa.; and (c) from Brownsville and Morgantown, Ky., to North Bergen, N.J. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 52704 (Sub-No. 94), filed September 21, 1972. Applicant: GLENN McCLENDON TRUCKING COMPANY, INC., Post Office Drawer H, Lafayette, AL 36862. Applicant's representative: Archie B. Culbreth, Suite 246, 1252 West Peachtree Street NW., Atlanta, GA 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, prepared or canned, other than frozen and other than fresh or cured meats (except in bulk), from St. Martinville, La., to points in Alabama, Florida, Georgia, Maryland, Missouri, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 58973 (Sub-No. 6), filed September 29, 1972. Applicant: ABLER TRANSFER, INC., 1006 South Eighth Street, Norfolk, NE 68701. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the warehouse site of Western Electric located at or near Underwood, Iowa, as an off-route point in connection with

applicant's presently authorized operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 59367 (Sub-No. 82), filed September 29, 1972. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, IA 50501. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles manufactured and/or dealt in by wholesale and retail grocery houses*, from the facilities of United Facilities, Inc., at Galesburg, Ill., to points in Iowa, Minnesota, Nebraska, and Wisconsin, restricted to traffic originating at the named origin and destined to points in the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59396 (Sub-No. 21), filed September 28, 1972. Applicant: BUILDERS EXPRESS, INC., Limecrest Road, Rural Delivery, Lafayette, NJ 07848. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing granules*, in bulk, in hard top closed dump and pneumatic trailers, from Belle Mead and Bound Brook, N.J., to Baltimore, Md., York, Philadelphia, and Harrisburg, Pa., Walpole and Millis, Mass., and Stratford, Conn. NOTE: Applicant states that duplicating authority may be involved. Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 60470 (Sub-No. 21), filed September 6, 1972. Applicant: MOTOR CAR TRANSPORT COMPANY, a corporation, 1280 Joslyn Avenue, Pontiac, MI 48055. Applicant's representative: Eugene C. Ewald, Suite 1700, 1 Woodward Avenue, Detroit, MI 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles, new trucks, and new buses*, in initial and secondary movements, in truckaway service, from the plantsite of the General Motors Corp., at Lordstown, Ohio to points in Indiana, Illinois, Michigan, Ohio, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC 61592 (Sub-No. 282), filed September 25, 1972. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA 52722. Applicant's representative: Donald Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen meat*, in vehicles equipped with mechanical refrigeration, from the plantsites of Duffy Boneless Beef Co., and Duffy Sausage Co., Inc., located at Carrollton, Ga., to points in Florida, South Carolina, North Carolina, Virginia, Maryland, Pennsylvania, New Jersey, New York, Tennessee, Kentucky, Ohio, Michigan, Minnesota, Wisconsin, Iowa, Illinois, Indiana, Missouri, Arkansas, Alabama, Mississippi, Louisiana, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 61592 (Sub-No. 283), filed September 25, 1972. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA 52722. Applicant's representative: Donald Smith, 900 Circle Tower Building, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, advertising, display, promotional and packaging materials* when shipped with malt beverages, from Milwaukee, Wis., and St. Paul, Minn., to Quincy, Ill., and Burlington, Iowa. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 284), filed September 25, 1972. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA 52722. Applicant's representative: Donald Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, from Chicago, Ill., to points in Washington, Idaho, Oregon, and California. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 62690 (Sub-No. 3), filed September 20, 1972. Applicant: CAREY F. WEATHERS TRANSFER & STORAGE CO., a corporation, 1268 Druid Park Avenue, Augusta, GA 30904. Applicant's representative: Thomas R. Kingsley, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467: (1) Between points in Georgia and South Carolina, on the one hand, and, on the other, points in Florida, New Jersey, Virginia, Alabama, and Mississippi; and (2) between points in Georgia, North Carolina, South Carolina, Tennessee, and the District of Columbia. NOTE: Applicant states that the purpose of instant applicant is to seek to reinstate the authority it formerly held in No. MC 62690 (Sub-No. 1). If a hearing is deemed necessary, applicant requests it be held at Augusta, or Atlanta, Ga., or Washington, D.C.

No. MC 63417 (Sub-No. 45), filed September 27, 1972. Applicant: BLUE RIDGE TRANSFER COMPANY, INC., 1814 Hollins Road NE., Post Office Box 2888, Roanoke, VA 24001. Applicant's representative: Nancy Pyeatt, 420 Executive Building, 1030 15th Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Flora, Miss., to Sumter, S.C. NOTE: Applicant states that the requested authority can be tacked with its certificates in MC 63417 (Subs 18 and 30) to provide through service from Flora, Miss., to points in Alabama, Florida, Georgia, Virginia, West Virginia, Maryland, Pennsylvania, Ohio, New York, Delaware, New Jersey, Kentucky, Illinois, Indiana, and Michigan. If a hearing is deemed necessary, applicant requests it be held at Roanoke, Va., or Washington, D.C.

No. MC 63417 (Sub-No. 46), filed September 29, 1972. Applicant: BLUE RIDGE TRANSFER COMPANY, INC., 1814 Hollins Road NE., (Post Office Box 2888), Roanoke, VA 24001. Applicant's representative: Nancy Pyeatt, 420 Executive Building, 1030 15th Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Mullins, S.C., to Sumter, S.C. NOTE: Applicant states that the requested authority can be tacked with its existing authority in No. MC 63417 (Sub-No. 30) at Sumter, S.C. to serve points in Alabama, Florida, and Georgia. If a hearing is deemed necessary, applicant requests it be held at Sumter, S.C. or Roanoke, Va.

No. MC 64112 (Sub-No. 51), filed September 27, 1972. Applicant: NORTHEASTERN TRUCKING COMPANY, a corporation, 2508 Starita Road, Post Office Box 26276, Charlotte, NC 28213. Applicant's representative: John M. Dunn, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Forest products*, from Scotland Neck, N.C., to points in Connecticut, Delaware, Maryland, New Jersey, Virginia, and the District of Columbia, those points in New York on and south of Interstate Highway 90, and those points in Pennsylvania on and east of U.S. Highway 15. NOTE: Applicant states that the requested authority could be joined with its existing authority at Scotland Neck, N.C., to provide for through service from all points in North Carolina, and all points in South Carolina, however, no tacking is anticipated. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Washington, D.C.

No. MC 69281 (Sub-No. 42), filed September 29, 1972. Applicant: THE DAVIDSON TRANSFER & STORAGE CO., a corporation, Towson Plaza, Post Office Box 58, Baltimore, MD 21203. Applicant's representative: John S. Fessenden, 618 Perpetual Building, 1111 E Street NW., Washington, DC 20004. Authority sought

to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Motor vehicle parts and accessories, related printed matter and packaging materials and supplies*, having prior movement by truck or air, from Baltimore, Md., to Frederick, Md., over U.S. Highway No. 40. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 69901 (Sub-No. 27), filed September 29, 1972. Applicant: COURIER-NEWSOM EXPRESS, INC., Post Office Box 270, Columbus, IN 47201. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* except those of unusual value, class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the plantsite of the Northern Indiana Public Service Co., at or near Wheatfield, Ind., as an off-route point in connection with applicant's route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 72997 (Sub-No. 21), filed September 26, 1972. Applicant: LIBERTY TRUCKING COMPANY, a corporation, 1401 West Fulton Street, Chicago, IL 60607. Applicant's representative: Michael J. Wyngaard, 125 West Doty Street, Madison, WI 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Transformers, parts and accessories* thereof, from Elgin, Ill., to points in Wisconsin; and (2) *materials, equipment, and supplies* which are used or useful in the manufacture, sale, production, or distribution of the commodities named in (1) above, and returned, refused, rejected, or damaged shipments of the commodities named in (1) above, from points in Wisconsin to Elgin, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 78687 (Sub-No. 36), filed September 13, 1972. Applicant: LOTT MOTOR LINES, INC., 118 Monell Street, Penn Yan, NY 14527. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 11th Street, NW., Washington, DC 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat scraps and hides and skins*, from Wyalusing Township, Bradford County, Pa., to points in Massachusetts, New York, New Jersey, and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract carrier authority under MC 2505, therefore, common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 82492 (Sub-No. 70), filed September 20, 1972. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., Post Office Box 2853, 2109 Olmstead Road, Kalamazoo, MI 49003. Applicant's representative: William C. Harris (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 MCC 209 and 766 (except hides and commodities in bulk), from Carroll, Denison, and Iowa Falls, Iowa, to Covington and Louisville, Ky., and points in Indiana, Michigan, and Ohio, restricted to traffic originating at the plantsites and warehouse facilities utilized by Farmland Foods, Inc., at the above-named origins and destined to the above-named destinations. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 83539 (Sub-No. 350), filed September 25, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936–2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in cargo containers and cargo vans, and/or empty cargo containers and cargo vans, between Galveston, Tex., on the one hand, and, on the other, points in Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 83539 (Sub-No. 351), filed October 2, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936–2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit and pipe, tubing and fittings therefor* (except oilfield and pipeline commodities as defined by the Commission in *Mercer Extension—Oil Field Commodities*, 74 M.C.C.), from Gilmer, Tex., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 83539 (Sub-No. 352), filed October 2, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936–2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass and glass glazing units*, from Laurinburg and Clinton, N.C., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83539 (Sub-No. 353), filed October 2, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936–2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical, hydraulic mechanical, and combustible antipollution systems and parts thereof*, from points in Connecticut to points in the United States (including Alaska, but excluding Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 85718 (Sub-No. 5), filed October 2, 1972. Applicant: SEWARD MOTOR FREIGHT, INC., 1041 Elm Street, Post Office Box 126, Seward, NE 68434. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*,

by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities requiring the use of special equipment). Regular route operations: (A) Route No. 1—between Gresham and Omaha, Nebr., over Nebraska Highway 76 to junction with Nebraska Highway 92 (formerly U.S. Highway 30A) to Omaha, serving all intermediate points and the off-route points of Bruno, Brainard, Ulysses, Bee, Dwight, Loma, Surprise, Prague, Abie, Octavia, Weston, and Linwood; Route No. 2—between the junction of Nebraska Highway 92 (formerly U.S. Highway 30A) and Nebraska Highway 79 and Lincoln, Nebr., over Nebraska Highway 79 to its junction with U.S. Highway 34 to Lincoln, serving all intermediate points; (a) between Wahoo and Lincoln over U.S. Highway 77, serving all intermediate points; Route No. 3—between Gresham and Lincoln, Nebr., over Nebraska Highway 76 to its junction with U.S. Highway 34; thence over U.S. Highway 34 to Tamora, thence south over county highway to Goehner; thence from Goehner over county highway to U.S. Highway 6; thence over U.S. Highway 6 to Lincoln, serving all intermediate points and the off-route point of Thayer; and (b) between Lincoln and Tamora, Nebr., over U.S. Highway 34. (B) Irregular route operations: (a) Between points within Seward, Polk, Butler, Colfax, Platte, Saunders, Lancaster, and Dodge County, Nebr., and between points within the named counties on the one hand, and, on the other, points in Nebraska on and east of U.S. Highway 183. NOTE: Applicant states that the sole purpose of instant application is to convert the Certificate of Registration issued to Fred J. Jakub doing business as Brainard-Bruno Transfer in No. MC 121050 (Sub-No. 1) into a Certificate of Public Convenience and Necessity. Applicant further states that it proposes to tack the authority sought in Parts A and B above with authority which it holds in No. MC 85718 (Sub-No. 3). If a hearing is deemed necessary, applicant requests it be held at Lincoln, or Omaha, Nebr.

No. MC 87720 (Sub-No. 134), filed September 28, 1972. Applicant: BASS TRANSPORTATION CO., INC., Post Office Box 391, Flemington, NJ 08822. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals, paints and varnish driers* (except in bulk), (a) between Bishop, Dallas, and Houston, Tex., and points in Orange and Los Angeles Counties, Calif., (b) from points in Los Angeles, and Orange Counties, Calif., to points in Arizona, Montana, Washington, Oregon, Idaho, and California, and (2) *materials, supplies and equipment* (except in bulk), between, from and to, the points and territories as stated above under (1), (a) and (b), on return, under contract with Tenneco, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 89684 (Sub-No. 81), filed September 28, 1972. Applicant: WYCOFF COMPANY, INC., 560 South Second West, Salt Lake City, UT 84110. Applicant's representative: Harry D. Pugsley, 400 El Paso Gas Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, poisons, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment or handling), restricted to 150 pounds per piece and in the aggregate of 1,000 pounds from one consignor to one consignee in 1 day, between points on the routes described in (1) through (7) as follows, (1) from Denver, Colo., over Interstate Highway 25 to Fort Collins, Colo., thence over U.S. Highway 287 to Laramie, Wyo., thence over Interstate Highway 80 to junction U.S. Highway 30N, thence over U.S. Highway 30N to junction U.S. Highway 89, thence over U.S. Highway 89 to Alpine, Wyo., serving all intermediate points between Geneva, Idaho, and Alpine, Wyo., and the off-route points of Fairview, Auburn, and Freedom, Wyo., and return over the same route;

(2) From Boise, Idaho, over U.S. Highway 30N and Interstate Highway 80 to Burley, Idaho, thence over U.S. Highway 30N and Interstate Highway 15W to Pocatello, Idaho, thence over Interstate Highway 15 and U.S. Highway 91 to Idaho Falls, Idaho, thence over U.S. Highway 26 to Alpine, Wyo., thence over U.S. Highway 89 to Geneva, Idaho, and return over the same route serving all intermediate points between Alpine, Wyo., and Geneva, Idaho, and the off-route points of Freedom, Auburn, and Fairview, Wyo.; (3) from Twin Falls, Idaho, over Interstate Highway 80N to Burley, Idaho, thence over U.S. Highway 30N and Interstate 15W to Pocatello, Idaho, thence over Interstate Highway 15 and U.S. Highway 91 to Idaho Falls, Idaho, thence over U.S. Highway 26 to Alpine, Wyo., thence over U.S. Highway 89 to Geneva, Idaho, and return over the same route, serving all intermediate points between Alpine, Wyo., and Geneva, Idaho, and the off-route points of Fairview, Auburn, and Freedom, Wyo.; (4) from Pocatello and Blackfoot, Idaho, over Interstate Highway 15 and U.S. Highway 91 to Idaho Falls, Idaho, thence over U.S. Highway 26 to Alpine, Wyo., thence over U.S. Highway 89 to Geneva, Idaho, and return over the same route, serving all intermediate points between Alpine, Wyo., and Geneva, Idaho, and the off-route points of Fairview, Auburn, and Freedom, Wyo.;

(5) From Provo, Utah, over Interstate Highway 15 to Salt Lake City, Utah, thence over U.S. Highway 189 to Kemmerer, Wyo., thence over U.S. Highway 30N to junction U.S. Highways 30N and 89, thence over U.S. Highway 89 to Alpine, Wyo., and return over the same route, serving all intermediate points between Geneva, Idaho, and Alpine, Wyo., and the off-route points of Fairview, Auburn, and Freedom, Wyo.; (6) from Ogden, Utah, over Interstate Highways 80N and 80 to junction U.S. Highway 189, thence over U.S. Highway 189 to Kemmerer, Wyo., thence over U.S. Highway 30N to junction U.S. Highway 89, thence over U.S. Highway 89 to Alpine, Wyo., and return over the same route, serving all intermediate points, between Geneva, Idaho, and Alpine, Wyo., and the off-route points of Fairview, Auburn, and Freedom, Wyo.; and (7) from Salt Lake City, Utah, over Interstate Highway 80 to junction U.S. Highway 189, thence over U.S. Highway 189 to Kemmerer, Wyo., thence over U.S. Highway 30N to junction U.S. Highway 89, thence over U.S. Highway 89 to Alpine, Wyo., and return over the same route, serving all intermediate points, between Geneva, Idaho, and Alpine, Wyo., and the off-route points of Fairview, Auburn, and Freedom, Wyo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 94350 (Sub-No. 319), filed September 29, 1972. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Haywood Road, Greenville, SC 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles in initial movements, from points in Huron County, Ohio, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 95540 (Sub-No. 859), filed September 29, 1972. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes, potato products and frozen vegetables*, from Hart, Holland, and Lake Odessa, Mich., to points in Connecticut, Maryland, Massachusetts, New York, Pennsylvania, Virginia, North Carolina, South Carolina, Alabama, Florida, Georgia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Chicago, Ill.

No. MC 95540 (Sub-No. 860), filed September 29, 1972. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from

ports of entry on the international boundary line between the United States and Canada, at or near Bridgewater and Houlton, Maine, to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 95540 (Sub-No. 861), filed August 28, 1972. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Paul E. Weaver (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass and glass glazing units*, from Laurinburg and Clinton, N.C., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 99427 (Sub-No. 17), filed September 28, 1972. Applicant: ARIZONA TANK LINES, INC., Post Office Box 6910, Phoenix, AZ 85005. Applicant's representative: William J. Lippman, 1819 H Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup*, in bulk, in tank vehicles, from Albuquerque, N. Mex., to points in Arizona, Colorado, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Albuquerque, N. Mex.

No. MC 102567 (Sub-No. 154), filed August 21, 1972. Applicant: EARL GIBBON TRANSPORT, INC., 4295 Meadow Lane, Post Office Drawer 5357, Bossier City, LA 71010. Applicant's representative: Jo E. Shaw, 816 Houston First Savings Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Baton Rouge, and Chalmette, La., to points in Alabama, Florida, Georgia, Illinois, Mississippi, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Houston, Tex.

No. MC 103373 (Sub-No. 5), filed October 2, 1972. Applicant: HOWARD MARTIN, INC., 425 West 152d Street, East Chicago, IN. Applicant's representative: Leonard R. Kofkin, 39 South LaSalle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles, contractors' outfits and tanks*, knocked down, from the plantsite of Chicago Bridge & Iron Co., at or near Indian Oaks, Ill., to points in Indiana, Michigan, and Ohio, and (2) *Materials, equipment and supplies* used by manufacturers and distributors of the above-named commodities from points in Indiana, Michigan, and Ohio to the plantsite of Chicago Bridge & Iron Co., at or near Indian Oaks, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103993 (Sub-No. 734), filed September 15, 1972. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from Chatham County, N.C., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that duplicating authority may be involved in No. MC 103993 (Sub-No. 689). Applicant further states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Raleigh or Durham, N.C.

No. MC 105045 (Sub-No. 37), filed October 2, 1972. Applicant: R. L. JEFFRIES TRUCKING CO., INC., Post Office Box 3277, Evansville, IN 47701. Applicant's representative: Paul F. Sullivan, 711 Washington Building, 15th and New York Avenue NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass and glass glazing units*, from Clinton and Laurinburg, N.C., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 105566 (Sub-No. 72), filed October 3, 1972. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, Cape Girardeau, MO 63701. Applicant's representative: Thomas F. Kilroy, Post Office Box 624, Springfield, VA 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter*, (a) from Dwight, Ill., and Glasgow, Ky., to points in Colorado, Idaho, Montana, New Mexico, and Wyoming; and (b) from Mattoon, Ill., to points in Arizona, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 105566 (Sub-No. 74), filed October 3, 1972. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, Cape Girardeau, MO 63701. Applicant's representative: Thomas F. Kilroy, Post Office Box 624, Springfield, VA 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter*, from Lousville, Ky., to points in Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Arizona, Nevada, Oregon, Washington, and California. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 105566 (Sub-No. 78), filed October 3, 1972. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, Cape Girardeau, MO 63701. Applicant's representative: Thomas F. Gilroy, Post Office Box 624, Springfield, VA 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter* from Dayton, Ohio, to points in Montana, Wyoming, Colorado, New Mexico, Idaho, Nevada, Utah, Arizona, California, Oregon, and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dayton, Ohio or Washington, D.C.

No. MC 105566 (Sub-No. 79), filed October 3, 1972. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, Cape Girardeau, MO 63701. Applicant's representative: Thomas F. Kilroy, Post Office Box 624, Springfield, VA 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prepared foods, foodstuffs, and prepared mixes* from Steelville, and Chester, Ill., and Perryville, Mo., to points in the United States (except Alaska and Hawaii); and (2) *materials, supplies and ingredients* used in the manufacture and production of prepared foods, foodstuffs and prepared mixes, from points in the United States (except Alaska and Hawaii) to Steelville, and Chester, Ill., and Perryville, Mo. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo. or Washington, D.C.

No. MC 106400 (Sub-No. 92), filed September 28, 1972. Applicant: KAW TRANSPORT COMPANY, a corporation, Post Office Box 12628, North Kansas City, MO 64116. Applicant's representative: Robert L. Hawkins, Jr., Post Office Box 456, Jefferson City, MO 65101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, laundry supplies, and products of chemical processes*, in bulk, in tank or hopper-type vehicles, from Kansas City, Kans., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 107012 (Sub-No. 163), filed August 25, 1972. Applicant: NORTH AMERICAN VAN LINES, INC., Lincoln Highway East and Meyer Road, Post Office Box 988, Fort Wayne, IN 46801. Applicant's representative: Donald C. Lewis, Post Office Box 988, Fort Wayne, IN 46801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, crated, from Mexia, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 107107 (Sub-No. 424), filed September 21, 1972. Applicant: ALTERMAN TRANSPORT LINES, INC., 12805 Northwest 42d Avenue, Le Jeune Road, Opa Locka, FL 33054. Applicant's representative: Ford W. Sewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods, foodstuffs, and meats, meat products, and meat byproducts* as defined by the Commission, in vehicles equipped with mechanical refrigeration, from Goshen, Ind., to points in Alabama, Georgia, and Florida. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108649 (Sub-No. 6), filed September 27, 1972. Applicant: STURM FREIGHTWAYS, INC., 2022 South Griswold Street, Peoria, IL 61605. Applicant's representative: Leonard R. Kofkin, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, and household goods as defined by the Commission), serving the site of the Western Electric Co., at or near Underwood, Iowa, as an off-route point in connection with applicant's regular-route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 110140 (Sub-No. 9), filed September 18, 1972. Applicant: MAYO ROBINSON, doing business as LUMBER TRUCKING SERVICE, 943 South Nebraska, Seattle, WA 98108. Applicant's representative: Richard A. Derham, 4200 Seattle First National Bank Building, Seattle, Wash. 98154. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points on the Olympic Peninsula, Wash., to the port of entry on the international boundary line between the United States and Canada located at or near Blaine and/or Lynden, Wash. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle or Tacoma, Wash.

No. MC 111424 (Sub-No. 4) (Correction), filed July 5, 1972, published in the FEDERAL REGISTER issues of August 3, 1972, and August 31, 1972, and republished in part as corrected this issue. Applicant: SHIPPERS TRUCK SERVICE, INC., 1 Scout Avenue, South Kearny, NJ 07032. Applicant's representative: Frank B. Hand, Jr., 740 15th Street NW., Washington, DC 20005. NOTE: The sole purpose of this partial republication is to redescribe the territorial description as follows: "Between New York, N.Y., and point in Nassau, Suffolk, and Westchester Counties, N.Y., and points in Sussex, Bergen, Morris, Somerset, Essex, Hudson, Passaic, Middlesex, Monmouth, Mercer, Hunterdon, and Union Counties, N.J., on the one hand, and, on the other, points in the United States on and east of a line extending from Lake Superior along the western boundary of Wisconsin to the Mississippi River and thence along the east bank of the Mississippi River to the Gulf of Mexico." The rest of the application remains as previously published.

No. MC 111545 (Sub-No. 174), filed October 2, 1972. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Marietta, GA 30062. Applicant's representative: Robert E. Born, Post Office Box 6426, Station A, Marietta, GA 30062. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles* in initial movements, and *buildings, in sections, moving on undercarriages*, from points in Henderson County, Tenn., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Indianapolis, Ind., or Chicago, Ill.

No. MC 112801 (Sub-No. 137), filed October 2, 1972. Applicant: TRANSPORT SERVICE CO., Post Office Box 50272, Chicago, IL 60650. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean solubles*, liquid, in bulk, from Remington, Ind., to points in Illinois, Wisconsin, and Indiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113267 (Sub-No. 289), filed September 15, 1972. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, IL 62232. Applicant's representative: Lawrence A. Fischer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs and drugs*, from Evansville, Ind., to points in North Carolina, South Carolina, Georgia, Florida, and Alabama. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Louisville, Ky.

No. MC 113267 (Sub-No. 290), filed September 15, 1972. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, IL 62232. Applicant's representative: Lawrence A. Fischer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C, Appendix I to the report in Descriptions in Motor Carrier certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Columbus Junction and Waterloo, Iowa, to points in Louisiana, Arkansas, and Mississippi, restricted to traffic originating at the named origins. NOTE: Common control may be involved. Applicant states that the requested authority can be tacked with its Sub-No. 121 at Shreveport, La., to serve points in Texas. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Des Moines, Iowa.

No. MC 113362 (Sub-No. 246), filed September 15, 1972. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Applicant's representative: Milton D. Adams, 1105½ Eighth Avenue NE., Austin, MN 55912. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, yogurt and prepared desserts*, in vehicles equipped with mechanical refrigeration, from Walton, N.Y.; Elizabeth, N.J.; and Hagerstown, Md., to points in Texas. NOTE: Applicant

states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 113678 (Sub-No. 467), filed September 5, 1972. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Applicant's representative: Richard A. Peterson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, yogurt, and prepared desserts*, in vehicles equipped with mechanical refrigeration, from Walton, N.Y., Elizabeth, N.J., and Hagerstown, Md., to points in Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Washington, D.C., or Denver, Colo.

No. MC 114004 (Sub-No. 121), filed September 28, 1972. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, AR 72209. Applicant's representative: Harold G. Hernly, Jr., 2030 North Adams Street, Suite 510, Arlington, VA 22201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Tennessee (except Crossville, Tenn., and points within 15 miles thereof), the plantsite of Atlantic Homes Division of Champion Home Builders Co., in Henry County, Tenn., and Selmar, Tenn., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn.

No. MC 115162 (Sub-No. 257), filed September 29, 1972. Applicant: POOLE TRUCK LINE, INC., Post Office Drawer 500, Evergreen, AL 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cereal and grain products* (except in bulk), from points in Missouri to points in Texas, Louisiana, Mississippi, Arkansas, Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Mobile, Ala.

No. MC 116073 (Sub-No. 247), filed September 28, 1972. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., Post Office Box 919, Moorhead, MN 56560. Applicant's representative: Robert G. Tessar, 1819 Fourth Avenue South, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building*, complete or in sections, from points in Brown County, Minn., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 116544 (Sub-No. 133) (Amendment), filed August 28, 1972, published in the FEDERAL REGISTER issue of October 12, 1972, and republished as amended this issue. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Post Office Box 636, Carthage, MO 64836. Applicant's representative: C. H. Fliesbach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* that are dealt in by the R. T. French Co., and *foodstuffs*, from Springfield, Mo., to points in Kansas, Nebraska, Iowa, Minnesota, Illinois, Wisconsin, Florida, Louisiana, Texas, Mississippi, Alabama, Oklahoma, Colorado, Arkansas, and New Mexico. NOTE: Applicant states that the requested authority can be tacked with its existing authority, but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. The purpose of this republication is to reflect the new tacking information. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 116763 (Sub-No. 231), filed September 29, 1972. Applicant: CARL SUBLER TRUCKING, INC., Route 92, Post Office Box 215, Auburndale, FL 33823. Applicant's representative: H. M. Richters, North West Street, Versailles, OH 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen and commodities in bulk), from points in Maine to points in Arizona, Arkansas, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority sought in past 2 years. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 119234 (Sub-No. 3), filed September 25, 1972. Applicant: MERCER MARINE TRANSIT CORP., Hargrove Road, Route 2, Smyrna, Ga. 30080. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats and boating equipment, marine vessels, parts, and supplies* (except commodities in bulk), from points in California, Oregon, and Washington to points in the United States on and east of U.S. Highway 85. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 119539 (Sub-No. 22) (Correction), filed July 31, 1972, and published in the FEDERAL REGISTER issue of August 31, 1972, republished in part, as corrected, this issue. Applicant: BEVERAGE TRANSPORT, INC., Post Office Box 88, East Bloomfield, NY 14443. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. NOTE: The purpose of this partial republication is to indicate the correct origin point as Union, N.J., in lieu of Union, N.Y., which was erroneously published. The rest of the application remains as previously published.

No. MC 119539 (Sub-No. 23), filed September 19, 1972. Applicant: BEVERAGE TRANSPORT, INC., Post Office Box 88, East Bloomfield, NY 14443. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* (except in bulk), from Cranston, R.I., to points in New York and Pennsylvania; and *returned empty containers*, on return. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119656 (Sub-No. 7), filed September 18, 1972. Applicant: NORTH EXPRESS, INC., 219 East Main Street, Winamac, IN 46995. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and contractor's machinery, equipment, materials and supplies* (except in bulk), between Indian Oaks, Ill., and points in Indiana, Michigan, Ohio, Wisconsin, Kentucky, Illinois, and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 119774 (Sub-No. 55), filed September 25, 1972. Applicant: EAGLE TRUCKING COMPANY, a corporation, Post Office Box 471, Kilgore, TX 75662. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, including *particle board*, from Durango, Colo.; Alamogordo, Navajo, and Albuquerque, N. Mex.; Snowflake, Fort Apache, White River, and Cutter, Ariz.; and El Paso,

Tex., to points in Arkansas, Illinois, Indiana, Kansas, Kentucky, Michigan, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla. or Oklahoma City, Okla. or Phoenix, Ariz.

No. MC 119793 (Sub-No. 7), filed September 28, 1972. Applicant: DEWEY L. WILFONG, doing business as D & W TRUCK LINES, Post Office Box 427, Parsons, WV 26287. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 11th Street, NW., Washington, DC 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wax pregnated sawdust logs*, from the plantsite and facilities of Kingsford Co., at or near Parsons, W. Va., to points in Maryland, Pennsylvania, Virginia, District of Columbia, Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Kentucky, Ohio, Indiana, and Michigan; (2) (a) *charcoal*, in bags, or boxes, (b) *wax pregnated sawdust logs and* (c) *wood chips, lighter fluid, and barbecue based materials* in mixed loads with charcoal and/or wax pregnated sawdust logs, from the plantsite of and facilities of Kingsford Co. at or near Parsons, W. Va., to points in North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Missouri, Iowa, Minnesota, Wisconsin, Texas, and Oklahoma; and (3) (a) *charcoal*, in bags or boxes, (b) *wax pregnated sawdust logs*, and (c) *wood chips, lighter fluid, and barbecue base materials*, in mixed loads with charcoal and/or wax pregnated sawdust logs, from the plantside and facilities utilized by Kingsford Co. at or near Ridgely, Md., to points in Maryland, West Virginia, Virginia, District of Columbia, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, North Carolina, South Carolina, Kentucky, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas, Missouri, Iowa, Minnesota, Wisconsin, Michigan, Illinois, Indiana, and Ohio. Restriction: The above sought authority to traffic moving under a continuing contract or contracts with Kingsford Co. of Louisville, Ky. NOTE: The purpose of instant application is to allow applicant to expand the service it is presently authorized to provide for Kingsford Co., both as to commodities and territory from Parsons, W. Va., and to allow it to serve the new facilities of Kingsford at or near Ridgely, Md. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Charleston, W. Va.

No. MC 120098 (Sub-No. 21), filed September 18, 1972. Applicant: UINTAH FREIGHTWAYS, 1030 South Redwood Road, Salt Lake City, UT 84104. Applicant's representative: William S. Richards, 900 Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barite*, from points in Lander and Eureka Counties, Nev., and Salt Lake City, Utah, to points in Duchesne and Uintah Counties, Utah and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 120398 (Sub-No. 11), filed August 25, 1972. Applicant: VALLEY EXPRESS, INC., Post Office Box 158, Schofield, WI 54476. Applicant's representative: Earle H. Haupt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment: (a) Between Crandon, Wis., and Rhinelander, Wis.; from Crandon over U.S. Highway 8 to Rhinelander and return over the same route, serving all intermediate points; and (b) between Monico, Wis., and Milwaukee, Wis.; from Monico over U.S. Highway 45 to its junction with U.S. Highway 41 north of Oshkosh, thence over U.S. Highway 41 to Milwaukee and return over the same route, as an alternate route for operating convenience only, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 121306 (Sub-No. 4), filed September 29, 1972. Applicant: SUPERIOR MOTOR EXPRESS, INC., Post Office Box 98, Gold Hill, NC 28071. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Suite 613, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel bars*, from Newark, N.J., to points in North Carolina and South Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C., or Washington, D.C.

No. MC 121306 (Sub-No. 5), filed September 29, 1972. Applicant SUPERIOR MOTOR EXPRESS, INC., Post Office Box 98, Gold Hill, NC 28071. Applicant's representative: Francis J. Ortman, 1100 17th Street NW., Suite 613, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel products*, from Ambridge and Franklin, Pa., to points in North Carolina and South Carolina. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C., or Washington, D.C.

No. MC 123048 (Sub-No. 225) (Correction), filed August 7, 1972, published in the FEDERAL REGISTER issue of August 31, 1972, and republished as corrected this issue. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, WI 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, WI 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain dryers, prefabricated grain bins and tanks, fans, heaters and accessories* when moving at the same time and in the same vehicle, from the plantsite of Chicago Eastern Corp., at Marengo, Ill., to points in the United States (except Hawaii, Vermont, New Hampshire, Connecticut, Maine, Rhode Island, Massachusetts, Arizona, Utah, Nevada, New Mexico, and Wyoming, restricted to traffic originating at said plantsite and destined to the States specified above. The purpose of this republication is to include the word "bins" to the commodity description. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123048 (Sub-No. 232), filed September 25, 1972. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, WI 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, WI 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors), *tractor parts* and *attachments* thereof, from Highland Park and Romeo, Mich., to points in that part of Illinois east of U.S. Highway 51 and north of U.S. Highway 50; Indiana, Ohio, that part of Kentucky east of U.S. Highway 127, that part of New York west of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 219 to Hamburg, N.Y., and thence along U.S. Highway 62 to Niagara, N.Y., that part of Pennsylvania west of U.S. Highway 219, and that part of West Virginia west of U.S. Highway 219. Restriction: The authority granted hereinabove is restricted to the transportation of shipments originating at the plant and warehouse sites of Ford Motor Co. at Highland Park and Romeo, Mich., and destined to the named destination points above. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123407 (Sub-No. 180), filed August 23, 1972. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue South, Minneapolis, MN 55404. Applicant's representative: Robert W. Sawyer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation, roof slabs, roof sections, building sections, siding, bathroom assembled units, building and roofing materials, and products of assembled building materials*, between Miami County, Ind. on the one hand, and, on the other, points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico. NOTE: Common

control may be involved. Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Indianapolis, Ind.

No. MC 124373 (Sub-No. 12), filed October 3, 1972. Applicant: NELMAR TRUCKING CO., a corporation, Route 1 and Duncan Avenue, Jersey City, N.J. 07306. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities, materials, equipment, and supplies* as are dealt in, used by or sold in wholesale and retail chain store supermarkets and warehouses (except commodities in bulk), between Carlstadt, N.J., on the one hand, and, on the other, points in Maryland, Virginia, and the District of Columbia, under contract with Greenbelt Consumer Services, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 124813 (Sub-No. 99), filed September 27, 1972. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson, Eagle Grove, IA 50523. Applicant's representative: J. Max Harding, 6–5 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, adhesives, building materials, and materials, supplies, and equipment* used in the manufacture, sale, distribution, and installation of such commodities, between points in Cook County, Ill., and Lake County, Ind., on the one hand, and, on the other, points in Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, and the Upper Peninsula of Michigan, restricted to traffic originating or terminating at the plantsite and warehouse facilities utilized by United States Gypsum Co., its divisions and affiliates. NOTE: Applicant holds contract carrier authority under MC 118468 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124830 (Sub-No. 1), filed October 2, 1972. Applicant: HOLMES FREIGHT LINES, INC., 7878 I Street, Omaha, NE 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the warehouse site of Western Electric Co., Inc., located at or near Underwood, Iowa, as an off-route point in connection with applicant's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 125521 (Sub-No. 20), filed August 28, 1972. Applicant: FUNK MOTOR TRANSPORTATION, INC., Box 75, Bridge Street, Grand Rapids, OH 43522. Applicant's representative: Arthur R. Cline, 420 Security Building, Toledo, Ohio 43604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, and on return trips *empty containers or other such incidental facilities used in transporting such commodities*, from Milwaukee, Wis., Bensenville, Ill., and South Bend, Ind., to Clinton, Ohio, under a continuing contract or contracts with Heineman Beverages, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Lansing or Detroit, Mich.

No. MC 125521 (Sub-No. 21), filed August 28, 1972. Applicant: FUNK MOTOR TRANSPORTATION, INC., Box 75, Bridge Street, Grand Rapids, OH 43522. Applicant's representative: Arthur R. Cline, 420 Security Building, Toledo, Ohio 43604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, and on return trips empty containers or other incidental facilities* used in transporting such commodities, from Bensenville, Ill., to Bowling Green, Ohio, and points within 3 miles thereof, under contract with Bowling Green Beverage, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio; Lansing or Detroit, Mich.

No. MC 128007 (Sub-No. 45), filed September 5, 1972. Applicant: HOFER, INC., Post Office Box 583, Pittsburg, KS 66762. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry feed and feed ingredients*, from Van Buren, Ark., to points in Colorado, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 128075 (Sub-No. 22), filed October 2, 1972. Applicant: LEON JOHNSRUD, 757 Second Street West, Post Office Box 447, Cresco, IA 52136. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese and agricultural commodities* which are otherwise exempt under section 203(b)(6) of the Interstate Commerce Act, when transported with cheese, (a) from plantsites, warehouses, and storage and production facilities of Associated Milk Producers, Inc., located at points in Minnesota, South Dakota, Iowa, and Wisconsin, to points in Arizona, California, Idaho, Nevada, Oregon, and Washington; and (b) from Rochester, Minn.; Parkston, S. Dak.; and Blair, Portage, and Madison, Wis., to Mason City, Iowa; and (2) *dairy products and argicultural commodities* which are otherwise exempt under section 203(b)(6) of the Interstate Commerce Act, when transported with cheese, from plantsites, warehouses, and storage, and production facilities of Associated Milk Producers, Inc., located at points in Minnesota and Iowa, to points in Pennsylvania, New York, Massachusetts, Connecticut, New Jersey, Rhode Island, and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128771 (Sub-No. 3), filed October 2, 1972. Applicant: MOTLEY TRANSFER, INC., 205 North Green Street, Glasgow, KY 42141. Applicant's representative: Robert H. Kinker, Box 464, Frankfort, KY 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Barren County, Ky., on the one hand, and, on the other, points in Adair and Hardin Counties, Ky., restricted to the transportation of traffic having an immediately prior or subsequent movement by rail. NOTE: Applicant states that tacking possibilities exist at Glasgow, Ky., with its Sub-Nos. 1 and 2 authority, although tacking is not contemplated. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 129068 (Sub-No. 19), filed September 13, 1972. Applicant: GRIFFIN TRANSPORTATION INC., 3002 South Douglas Boulevard, Oklahoma City, OK 73150. Applicant's representative: I. E. Chenoweth, 3010 South Braden, Tulsa, OK 74114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial movements and pickup camper shells, from points in Noble County, Okla., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa or Oklahoma City, Okla.

No. MC 129631 (Sub-No. 30), filed August 21, 1972. Applicant: PACK TRANSPORT, INC., 3975 South Second West Street, Salt Lake City, UT 84107. Authority sought to operate as a *common*

carrier, by motor vehicle, over regular routes, transporting: *Building materials* and *machinery*, serving points in Oneida County, Idaho, and Box Elder, Cache, Davis, Morgan, Rich, Summit, Salt Lake, and Weber Counties, Utah, as off-route points in connection with applicant's regular route operations under its base certificate No. MC 129631. NOTE: Applicant now holds contract carrier authority under its No. MC 101741, therefore dual operations may be involved. If a hearing is deemed necesary, applicant requests it be held at Salt Lake City, Utah.

No. MC 129631 (Sub-No. 31), filed August 24, 1972. Applicant: PACK TRANSPORT, INC., 3975 South Second West Street, Salt Lake City, UT 84107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, (1) from points in Washington, to points in Oneida, Franklin, Caribou, and Bear Lake Counties, Idaho; (2) from points in Wyoming to points in Arizona; (3) from points in Lincoln County, Wyo., to points in Utah and Idaho; (4) from points in Oregon, to points in Oneida, Franklin, Caribou, and Bear Lake Counties, Idaho; and (5) from points in Utah on and south of U.S. Highway 40 to points in Arizona and New Mexico. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant now holds contract carrier authority under its No. MC 101741, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. 133221 (Sub-No. 15), filed September 27, 1972. Applicant: OVERLAND CO., INC., Highway 20, Route 1, Lawrenceville, Ga. 30245. Applicant's representative: Bruce E. Mitchell, Suite 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (a) *Plastic and plastic products* (except in bulk), from the plantsite and warehouse facility of Dow Chemical, U.S.A., at Gales Ferry, Conn., to points in the United States on and east of U.S. Highway 85; (b) *Plastic foam products* (except in bulk), from the plantsite and warehouse facilities of Dow Chemical, U.S.A., located at Magnolia, Ark., Midland, Mich., Pevely, Mo., and Royersford, Pa., to points in the United States on and east of U.S. Highway 85 (except Alabama, Georgia, Florida, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia), and (c) *Magnesium photo engravers plates*, from the plantsite and warehouse facility of Dow Chemical, U.S.A., at or near Findlay, Ohio, to points in the United States on and east of U.S. Highway 85. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 133713 (Sub-No. 6), filed September 28, 1972. Applicant: UELAND TRUCKING, INC., Route 1, Box 25 B, Shakopee, MN 55379. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate*, from Pine Bend, Minn., to points in the Upper Peninsula of Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 133741 (Sub-No. 15), filed September 11, 1972. Applicant: OSBORNE TRUCKING CO., INC., 1008 Sierra Drive, Riverton, WY 82501. Applicant's representative: Robert S. Stauffer, 3539 Boston Road, Cheyenne, WY 82001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from Evanston, Wyo., to points in Colorado and those in Nebraska located on and west of U.S. Highway 83, under contract with Cougar Sawmills, Inc. NOTE: Applicant now holds common carrier authority under its No. MC 134370 and Subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Salt Lake City, Utah, or Cheyenne, Wyo.

No. MC 133741 (Sub-No. 16), filed September 1, 1972. Applicant: OSBORNE TRUCKING CO., INC., 1008 Sierra Drive, Riverton, WY 82501. Applicant's representative: Robert S. Stauffer, 3539 Boston Road, Cheyenne, WY 82001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from points north of and including Idaho County, Idaho, points on and west of U.S. Highway 97 in the State of Oregon, and points in Washington on and west of the Cascade Mountain Range to points in Colorado, under contract with Potlatch Forests, Inc. NOTE: Dual operations and common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.; Salt Lake City, Utah; or Cheyenne, Wyo.

No. MC 134323 (Sub-No. 31), filed October 2, 1972. Applicant: JAY LINES, INC., 720 North Grand Street, Amarillo, TX 79105. Applicant's representative: Gailyn Larson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances, furnaces, air cleaners and conditioners, humidifiers, dehumidifiers and related items* except those items which, because of size or weight require the use of special equipment, between the plantsite and warehouse facilities of Fedders Corp., at Buffalo, N.Y., and points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, and Texas, under contract with Fedders Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Omaha, Nebr.

No. MC 134388 (Sub-No. 5), filed September 13, 1972. Applicant: HOME RUN, INC., 3 East Washington Street, Jamestown, OH 45335. Applicant's representative: James W. Muldoon, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Buildings* (except buildings, in sections, mounted on wheeled undercarriages), and *component parts, materials, supplies, and fixtures used in the erection or assembly of buildings*, (1) from Victor, N.Y., to points in Ohio and Pennsylvania, (2) from Eighty Four, Pa., to points in Maryland, Virginia, Ohio, and the District of Columbia, (3) from Fredericksburg, Va., and Jamestown, Ohio, to points in Georgia, and (4) between Victor, N.Y., Fredericksburg, Va., Eighty Four, Wampum, and Coraopolis, Pa., Chardon and Jamestown, Ohio, under contract with Ryan Homes, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Pittsburgh, Pa.

No. MC 134599 (Sub-No. 57), filed October 2, 1972. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, Post Office Box 748, Salt Lake City, UT 84110. Applicant's representative: Richard A. Peterson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubber, rubber products and equipment, materials and supplies* used in the manufacture and production of rubber products, except commodities in bulk and except commodities which, because of size or weight require special handling or special equipment, from Stoughton and Eau Claire, Wis., Chicago, Ill., and Washington, Mishawaka, Warsaw, and Indianapolis, Ind., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, and Louisiana, under contract with Uniroyal, Inc. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Lincoln, Nebr.

No. MC 134599 (Sub-No. 58), filed October 2, 1972. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, Post Office Box 748, Salt Lake City, UT 84110. Applicant's representative: Richard A. Peterson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubber, rubber products and equipment, materials and supplies used in the manufacture and production of rubber products* (except commodities in bulk and commodities which because of size or weight require special handling or special equipment),

from Opelika, Ala., and Dalton, Dublin, Thomson, Hogansville, and Conyers, Ga., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, and Louisiana, under a continuing contract or contracts with Uniroyal, Inc. NOTE: Duplicating authority may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Lincoln, Nebr.

No. MC 134734 (Sub-No. 6), filed August 28, 1972. Applicant: NATIONAL TRANSPORTATION, INC., Box 31, Norfolk, NE 68701. Applicant's representative: Lanny N. Fauss, Box 37096, Millard, NE 68137. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and related items dealt in and used by a meat processor*, between Lincoln, Nebr., on the one hand, and, on the other, points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Wisconsin, Oklahoma, South Dakota, North Dakota, and Wyoming, under contract with National Foods, Inc., Prairie Maid Meat Division. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr.

No. MC 134755 (Sub-No. 33), filed October 2, 1972. Applicant: CHARTER EXPRESS, INC., 1959 East Turner Street, Box 3772, Springfield, MO 65804. Applicant's representative: Le Roy Smith (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles* manufactured and/or dealt in by wholesale and retail grocery houses, from the facilities of United Facilities, Inc., located at or near Galesburg, Ill., to points in Iowa, Kansas, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant states that the requested authorit cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 135874 (Sub-No. 13), filed August 28, 1972. Applicant: LTL PERISHABLES, INC., Post Office Box 37468 Millard Station, Omaha, NE 68137. Applicant's representative: Donald L. Stern, 530 Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, from St. James and Madelia, Minn., to points in Iowa, South Dakota, Nebraska, Illinois, Missouri, and Kansas. Restriction: Restricted to traffic originating at named origins and destined to named States. (2) *Foodstuffs and paper articles and aluminum trays*, when moving in mixed shipments with foodstuffs, from Omaha, Nebr., to points in North Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 135884 (Sub-No. 3), filed September 5, 1972. Applicant: STEVE CALDWELL, Route 1, Box 36, Adams, OR 97810. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, OR 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Furniture, furniture parts and furniture hardware*, between Lincoln, Nebr., on the one hand, and, on the other, points in California, Oregon, and Washington, under contract with Harris Pine Mills. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 134884 (Sub-No. 4), filed September 17, 1972. Applicant: FARWEST FURNITURE TRANSPORT, INC., 6840 112th Avenue SE., Renton, WA 98055. Applicant's representative: Bruce E. Mitchell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and fixtures*, between points in Utah, on the one hand, and, on the other, points in Oregon, Idaho, Washington, and California. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Salt Lake City, Utah.

No. MC 135326 (Sub-No. 5), filed September 28, 1972. Applicant: BILLY R. ALMAND, doing business as ALMAND TRUCKING COMPANY, Route 2, Box 50, Keithville, LA 71107. Applicant's representative: Paul Caplinger, Post Office Box 7114, Shreveport, LA 71107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing granules and stone dust*, dry, in bulk, from the plantsite of Bird & Son, Inc., at or near Glenwood, Ark., to Shreveport, La. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La., or Dallas, Tex.

No. MC 135813 (Sub-No. 1), filed October 2, 1972. Applicant: PARR TRUCKING SERVICE, INC., 829 Alsop Lane, Post Office Box 1308, Owensboro, KY 42301. Applicant's representative: George M. Carlett, 703–706 McClure Building, Frankfort, KY 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molten aluminum alloy*, from the plantsite of National Southwire Aluminum Co., in Hancock County, Ky., to Bedford, Ind. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Pittsburgh, Pa.

No. MC 136367 (Sub-No. 2), filed August 25, 1972. Applicant: GOESON MOVING & STORAGE, INC., 2004 Sixth Avenue S., Grand Forks, ND 58201. Applicant's representative: Robert O. Wefald, 212½ North Fourth Street, Bismarck, ND 58501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods, unaccompanied baggage and personal effects and to provide drayage* service for the same prior to and subsequent to movement in interstate and foreign commerce, between points in Pembina, Cavalier, Ramsey, Walsh, Nelson, Grand Forks, Eddy, Foster, Steele, Traill, and Griggs Counties, N. Dak., and Kittson, Roseau, Marshall, Pennington, Polk, Red Lake, and Clearwater Counties, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Fargo, N. Dak.

No. MC 136437 (Sub-No. 2), filed August 24, 1972. Applicant: P. KRIMBEL, doing business as KRIMBEL TRUCKING CO., 607 Hill Road, Aberdeen, WA 98520. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer, wine, printing paper* other than news, and *corrugated paper and vacuum formed plastic trays*, between points in California, on the one hand, and, on the other, points in Oregon and Washington west of the Cascade Mountain Range. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 136530 (Sub-No. 1), filed September 27, 1972. Applicant: NORBET TRUCKING CORP., 100 Nassau Terminal Road, New Hyde Park, NY 11040. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 11th Street NW., Washington, DC 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, coated and uncoated, and *materials, equipment, and supplies* (except commodities in bulk), used in the manufacture, distribution, and production of iron and steel articles, between Kearny, N.J., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Ohio, New York, New Jersey, Pennsylvania, Delaware, Maryalnd, Virginia, West Virginia, and the District of Columbia. Restrictions: (1) The above authority is restricted to traffic originating at or destined to the facilities of American Strip Steel Inc., at Kearny, N.J.; and (2) the above authority is restricted to the transportation of traffic moving under a continuing contract or contracts with American Strip Steel Inc., New Hyde Park, N.Y. NOTE: The applicant states that the applicant is commonly controlled with the shipper. The applicant merely here seeks to add the additional facility of Kearny, N.J., to the already existing contract carrier authority which it is obtaining to perform the same service to and from New Hyde Park, N.Y. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 136542 (Sub-No. 1), filed August 28, 1972. Applicant: CHARLES C.

REINHART and CHARLES B. REINHART, a partnership, doing business as REINHART & SONS MOVING & STORAGS, 1145 Elk Street, Post Office Box 1623, Rock Springs, WY 82901. Applicant's representative: Robert S. Stauffer, 3539 Boston Road, Cheyenne, WY 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods, and unaccompanied baggage and personal effects*, (1) between points in Wyoming; and (2) between points in Wyoming, on the one hand, and, on the other, points in Moffat County, Colo., and points in Daggett, Summit, Duchesne, and Uintah Counties, Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Cheyenne, Wyo.

No. MC 136594 (Sub-No. 1), filed July 12, 1972. Applicant: MAR-VAN, INC., Avenue B, Post Office Box 169, Watervliet, NY 12189. Applicant's representative: Julius Braun, Albany Port Administration Building, Room 21, Albany, N.Y. 12202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Safes, vaults, and other security devices, and equipment, tools and supplies* necessary for the installation thereof, from Albany, N.Y., to points in New York, on and east of Interstate Highway 81 (except points in Nassau and Suffolk Counties, and New York City, N.Y.), under contract with Diebold, Inc., and Mosler Safe Co., restricted to traffic having a prior out of State movement. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany or New York, N.Y.

No. MC 136625 (Sub-No. 2), filed August 28, 1972. Applicant: WHITE CLOUD CO., INC., 3200 Pan American Freeway NE., Albuquerque, NM 87107. Applicant's representative: Orville C. McCallister, 500 Oak Street NE., Albuquerque, NM 87106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel buildings* from Houston, Tex., to points in New Mexico, under contract with Dura Bilt Products, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 136649 (Sub-No. 2), filed August 18, 1972. Applicant: MEX-AM CARGO CARRIERS, INC., 7917 Harry Hines Boulevard, Dallas, TX 75235. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas* and exempt commodities when moving in mixed shipments with bananas, from points in Texas on the United States-Mexican border to points in the United States (except Alaska and Hawaii) and (2) *Polypropylene bags and plastic bags, cardboard and fiberboard boxes, advertising matter, displays, and packaging, materials* used in the distribution and sale of bananas and exempt commodities when moving with the above-named commodities, from points in the United States to Hidalgo, Eagle Pass, El Paso, and McAllen, Tex. Restricted to import and export traffic. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., Washington, D.C., or Dallas, Tex.

No. MC 136720 (Sub-No. 2), filed August 30, 1972. Applicant: APEX BULK COMMODITIES, 11902 East Washington Boulevard, Whittier, CA 90670. Applicant's representative: Earl H. Carroll, 363 North First Avenue, Phoenix, AZ 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat meal and blood meal*, from Tolleson, Ariz., to Anaheim and Fontana, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Los Angeles, Calif.

No. MC 136768 (Sub-No. 1), filed September 27, 1972. Applicant: WALTER G. ECTON, doing business as ECTON MOVERS, 29 Depot Street, Winchester, KY 40391. Applicant's representative: Walter G. Ecton (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, and material and supplies*, including tools, used in the construction and maintenance of telephone systems and communications, between points in Bath, Bourbon, Breathitt, Bracken, Clark, Clay, Estill, Fayette, Fleming, Grant, Harrison, Jessamine, Lee, Leslie, Madison, Mason, Menifee, Montgomery, Nichols, Owsley, Pendleton, Perry, Powell, Robertson, Rowan, Scott, Woodford, and Wolfe Counties, Ky., under a contract or contracts with Western Electric Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lexington or Frankfort, Ky.

No. MC 136781 (Sub-No. 1), filed September 5, 1972. Applicant: SMITH HAULING & RIGGING CO., INC., 130 South Floyd Street, Louisville, KY 40202. Applicant's representative: George M. Catlett, 703–706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material, and supplies*, including tools used in the construction and maintenance of telephone systems and communication, between Louisville, Ky., and points in the counties of Anderson, Bullitt, Carroll, Franklin, Gallatin, Hardin, Henry, Jefferson, Larue, Meade, Nelson, Oldham, Owen, Shelby, Spencer, and Trimble, Ky., under contract with Western Electric Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 136882 (Sub-No. 2), filed September 21, 1972. Applicant: BTA TRUCKING CO., INC., 502 Lester Street, Woodbury, TN 37190. Applicant's representative: Bill T. Alexander (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum storm doors and windows*, from Woodbury, Tenn., to Selingsgrove, Pa., Elkhart, Ind., Charlotte, N.C., Kilgore, Tex., Haleyville, Ala., Americus, Ga., Marshfield, Wis., and Owensboro, Ky.; (2) *aluminum extrusions*, from Rome, Ga., to Woodbury, Tenn., and (3) *tempered door glass*, from Vincennes, Ind., to Woodbury, Tenn., under a contract or contracts with V. E. Anderson Manufacturing Co., of Woodbury, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 136905, filed June 26, 1972. Applicant: HOLLIS WILLIAMS doing business as HOLLIS WILLIAMS TRUCKING, 314 Oak Avenue, Sulphur Springs, TX 75482. Applicant's representative: Raymond R. Johnson, Post Office Box 522, 208 Church Street, Sulphur Springs, TX 75482. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Valves, valve blanks, valve components, valve materials, and machinery parts* used in the manufacturing and servicing of valves, provided that transportation equipment shall be limited to one 3/4-ton pickup and no single load shall exceed 3,500 pounds, from the manufacturing facilities of Rockwell Manufacturing Co. at Sulphur Springs in Hopkins County, Tex., to points in Texas, Louisiana, and Mississippi, and return, under contract with Rockwell Manufacturing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tyler, or Texarkana, Tex.

No. MC 136967, filed August 2, 1972. Applicant: HENRY R. MILLER and RAYMOND A. MILLER, doing business as MILLER BROS. TRUCKING, Post Office Box 787, Paso Robles, CA 93446. Applicant's representative: Henry R. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid cattle feed supplement*, in tank vehicles, from San Jose, Calif., to Gardnerville, Wells, Elko, Winnemucca, Tonopah, Ely, Fallon, Nev.; Klamath Falls, Lakeview, Paisley, Burns, Madras, Roseburg, and Bend, Oreg. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 136987 (Sub-No. 2), filed August 23, 1972. Applicant: REMINGTON FREIGHT LINES, INC., 604 North Main Street, Remington, IN. Applicant's representative: Warren C. Moberly, 777 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning compounds, toilet preparations, and deodorants*, granulated or powdered, in corrigated containers, from plantsite located in Chicago, Ill., to points in Rhode Island, Connecticut, New Hampshire, Massachusetts, New York, New Jersey, Maryland, Pennsylvania, Ohio, Michigan, Wisconsin, Iowa, Minnesota, Missouri, Indiana, Ne-

braska, and the District of Columbia, under contract with Babbitt Products. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 138068, filed September 25, 1972. Applicant: WAREHOUSE TRANSPORTATION COMPANY, a corporation, 1038 Cortlandt Street, Post Office Box 14072, Cincinnati, OH 45214. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cleaning, buffing, and polishing compounds; hand sprayers; brooms; mops and mop parts; plastic cooking bags; scouring pads; filters; carpet sweepers; nutritional foods and related articles; and materials, supplies, and equipment, used in the manufacture, distribution, or sale of the aforementioned commodities* (except in bulk), between the plantsites and warehouses of the Drackett Products Co., at Urbana, Ohio, on the one hand, and, on the other, Bedford Park and Peoria, Ill., East Stroudsburg, Pa., and Memphis, Tenn.; (2) *iron and steel cans*, from Cincinnati, Ohio, to Franklin, Ky.; and (3) *cleaning, buffing, and polishing compounds; starches; air fresheners; and disinfectants and related articles; and materials, supplies, and equipment, used in the manufacture, distribution, or sale of the aforementioned commodities* (except in bulk), between the plantsites and warehouses, of the Drackett Products Co., at Franklin, Ky., on the one hand, and, on the other, Bedford Park and Peoria, Ill., and Urbana, Ohio. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 138084, filed October 2, 1972. Applicant: JOSEPH PIRRI, JR., 549 Maple Street, Barrington, RI 02806. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, RI 02905. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mill cinder or mill scale (mill scarfings), iron or steel*, in bulk, in dump vehicles, from Worcester, Mass., and East Providence, R.I., to Rockland, Maine, under contract with Paul Blum Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I., or Boston, Mass.

No. MC 138051 (Sub-No. 1), filed October 2, 1972. Applicant: TAMELING SOIL BUILDERS, INC., 5300 West 39th Street, Chicago, IL 60650. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, IL 60641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compost*, that is a mixture of manure, hay, water, and fertilizer, used in the growth medium, from points in Allegan County, Mich., and Lagrange County, Ind., to West Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 138091 (Sub-No. 1), filed October 10, 1972. Applicant: L. HODGINS, doing business as L. HODGINS TRUCKMAN, 1325 Adams Street, Hoboken, NJ 07030. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Burlap*, for account of New Yorker-Peters Corp., from piers in New York Harbor, N.Y., to Elizabeth and Lyndhurst, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 138092, filed August 29, 1972. Applicant: WILLIAMSON MOVING & STORAGE COMPANY, INC., Post Office Box 752, San Marcos, TX 78666. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, CA 90027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, subject to the "Kingpak" restrictions, between points in Bastrop, Bexar, Blanco, Burnet, Caldwell, Comal, Gillespie, Gonzales, Guadalupe, Hays, Kendall, Llano, Travis, and Williamson Counties, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Antonio or Austin, Tex.

No. MC 138093, filed September 20, 1972. Applicant: JAMES W. ANDERSON AND ELAINE ANDERSON, a partnership, doing business as ANDERSON DELIVERY SERVICE, Greenwood Road, Harrison, Tenn. 37341. Applicant's representative: Robert L. Baker, 300 James Robertson Parkway, Nashville, TN 37201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by home products distributors*, between points in Bledsoe, Bradley, Coffee, Franklin, Grundy, Hamilton, Marion, McMinn, Meigs, Polk, Rhea, Sequatchie, Van Buren, and Warren Counties, Tenn., under contract with Amway Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Washington, D.C.

MOTOR CARRIERS OF PASSENGERS

No. MC 129644 (Sub-No. 5), filed October 2, 1972. Applicant: C & J TRAVEL, INC., 163 Central Avenue, Dover, NH 03820. Applicant's representative: Mary K. Kelley, 11 Riverside Avenue, Medford, MA 02155. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage in special operations;* and (2) *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), restricted to packages or articles weighing not more than 200 pounds in the aggregate from one consignor at one location to one consignee at one location during a single day, between Logan International Airport at Boston, Mass., on the one hand, and, on the other, points in York and Cumberland Counties, Maine. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Portsmouth, N.H. SPECIAL NOTE: This application has been assigned applicant's passenger docket series. Applicant also holds authority to operate as a motor common carrier of property under No. MC 134133 Sub 1. If and when the above authority is granted, said certificate will also carry No. MC 134133 (property number).

APPLICATION FOR FREIGHT FORWARDER

No. FF-426 (EXPRESS FORWARDING & STORAGE CO., INC., Freight Forwarder Application), filed October 13, 1972. Applicant: EXPRESS FORWARDING & STORAGE CO., INC., 19 Rector Street, New York, NY 10006. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, DC 20006. Authority sought under section 410, Part IV of the Interstate Commerce Act, for a permit authorizing applicant to continue operations as a freight forwarder, in interstate or foreign commerce, through the use of the facilities of common carriers by motor vehicle in the transportation of: (a) *Used household goods and unaccompanied baggage*, and (b) *used automobiles*, between points in the United States (including Hawaii, but excluding Alaska), restricted in (b) to the transportation of import-export traffic.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 53321 (Sub-No. 8), filed September 5, 1972. Applicant: RAU CARTAGE INC., 1107 East Noble Street, Box 403, Monroe, MI 48161. Applicant's representative: Marion M. Emery, 6055 Flanders Road, Sylvania, OH 43560. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer compounds, agricultural insecticides, herbicides, fungicides, and weed killing compounds* (except in bulk), from Columbus, Ohio, to points in Michigan on and south of Michigan Highway 55, under contract with Elanco Products, Division Eli Lilly & Co., Indianapolis, Ind.

No. MC 136657 (Sub-No. 1), filed September 26, 1972. Applicant: I. FRED ROGERS, doing business as ROGERS TRUCKING COMPANY, 5520 Stoneleigh Drive, NW., Knoxville, TN 37912. Applicant's representative: R. Cameron Rollins, 321 East Center Street, Kingsport, TN 37660. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete blocks, cinder blocks, and brick*, from Knoxville, Tenn., to points in Kentucky and North Carolina, under contract with General Shale Products Corp. NOTE: The purpose of the instant application is to convert applicant's common carrier authority under MC 116737 to contract authority.

No. MC 136895 (Sub-No. 2), filed September 26, 1972. Applicant: WHITE LINES, INC., 118 East High Street, Oxford, OH 45056. Applicant's represent-

ative: David P. White (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter coach service, from points in Butler, Greene, Clark, and Montgomery Counties, Ohio to points in the United States including Alaska, Canada, and Mexico (but excluding Hawaii) and return. NOTE: Common control may be involved.

No. MC 138094, filed September 18, 1972. Applicant: EDWIN L. RUDOLPH, doing business as JACOBSON TRANSFER AND STORAGE, 6954 Reflection Drive, Redding, CA 96001. Applicant's representative: W. S. Pilling, 100 Bush Street, 21st Floor, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, (a) between points in Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, Butte, and Glen Counties, Calif., and (b) between San Francisco and Oakland, Calif., on the one hand, and, on the other, points in Siskiyou, Modoc, Trinity, Shasta, Lessen, Tehama, Plumas, Butte, and Glen Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.72-18246 Filed 10-26-72;8:45 am]

[Notice 140]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 20, 1972.

The following are notices of filing of applications[1] for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 2368 (Sub-No. 36 TA), filed October 10, 1972. Applicant: BRALLEY-WILLETT TANK LINES, INC., 2212 Deepwater Terminal Road, Richmond, VA 23204. Applicant's representative: Ward Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Adipic acid*, from Hopewell, Va., to Chestertown, Md., for 180 days. Supporting shipper: Allied Chemical Corp., Post Office Box 2365R, Morristown, NJ 07960. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 3018 (Sub-No. 26 TA), filed October 5, 1972. Applicant: McKEOWN TRANSPORTATION COMPANY, 10448 South Western Avenue, Chicago, IL 60643. Applicant's representative McCarthy, Scheurich, Duffy & McCarthy, 111 West Washington Street, Chicago, IL 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Compressed and liquified hydrogen* in shipper-owned container, from McCook, Ill., to points in New York, Massachusetts, Connecticut, New Jersey, Maryland, Delaware, Virginia, North Carolina, South Carolina, New Hampshire, Vermont, Maine, Rhode Island, Arkansas, Louisiana, Mississippi, and Georgia, for 180 days. Supporting shipper: Union Carbide Corp., 270 Park Avenue, New York, NY. Send protests to: District Supervisor Robert G. Anderson, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 26396 (Sub-No. 62 TA), October 3, 1972. Applicant: POPELKA TRUCKING CO., doing business as THE WAGGONERS, Post Office Box 990, 201 West Park, Livingston, MT 59047. Applicant's representative: Wayne Waggoner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particle board*, from points in Montana to points in Illinois, California, Nevada, Oregon, Washington, Wyoming, Wisconsin, Utah, North Dakota, South Dakota, Nebraska, Colorado, Iowa, Minnesota, and Idaho, for 180 days. Supporting shipper: Evans Products Co., Particle Board Division, Post Office Drawer No. 12, Missoula, MT 59801. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 61502 (Sub-No. 6 TA), filed October 2, 1972. Applicant: WM. McCULLOUGH TRANSPORTATION CO., INC., 1130 U.S. Highway 1, Elizabeth, NJ 07201. Applicant's representative: Bowes & Millner, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, such as *plastic powder, flakes, granules, lumps, pellets, or solid mass*, in bulk, in plastic liners, called sea bulk containers, provided such transportation has a prior or subsequent movement by water, from Selkirk, N.Y., to New York-New Jersey Port Authority terminals in Port Elizabeth and Port Newark, N.J., for 180 days. Supporting shipper: General Electric Co., Long Lane, Selkirk, N.Y. 12158. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 70083 (Sub-No. 25 TA), filed October 6, 1972. Applicant: DRAKE MOTOR LINES, INC., 20 Olney Avenue, Cherry Hill, NJ 08034. Applicant's representative: Bernard L. Rabbito (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* dealt in by retail department stores, from the plantsite of B. Altman Co., St. Davids, Radnor Township, Pa., to retail customers in New Jersey and Delaware, restricted to exclude articles weighing 50 pounds or less and having dimensions of 108 inches in length and girth combined, unless such packages or articles are part of a shipment to the same consignee which contains packages or articles weighing more than 50 pounds and having dimensions of more than 108 inches in length and girth combined. Returned transportation over the same routes transporting *returned, refused or rejected shipments*, for 180 days. Supporting shipper: B. Altman Co., St. Davids, Pa. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 88368 (Sub-No. 26 TA), filed September 19, 1972. Applicant: CARTWRIGHT VAN LINES, INC., 4411 East 119th Street, Grandview, MO 64030. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore, Kansas City, MO. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Earp, Calif., and points within 50 miles thereof, on the one hand, and, on the other, points in California, for 150 days. NOTE: Applicant states that its does intend to tack with the authority in MC-88368 (Sub-No. 14). Supported by: There are approximately 13 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: John V. Barry, District

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[1] Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 102616 (Sub-No. 874 TA), filed October 2, 1972. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, OH 44319. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline, distillate fuel oil, and kerosene*, in bulk, in tank vehicles, from Montvale, Va., to Barboursville, Huntington, Hurrican, and Milton, W. Va., for 180 days. Supporting shipper: American Oil Co., 500 North Michigan Avenue, Chicago, IL 60611. Send protests to: Franklin D. Bail, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 103494 (Sub-No. 247 TA), filed October 4, 1972. Applicant: EASLEY HAULING SERVICE, INC., Post Office Box 1261, Gun Club Road, Yakima, WA 98907. Applicant's representative: Douglas A. Wilson, 303 East D Street, Yakima, WA 98901. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Shipping containers*, from Longview, Wash., to points in Waco and Hood River Counties, Oreg., and to Ontario, Oreg., and from Longview and Yakima, Wash., to Medford, Oreg., for 90 days. Supporting shipper: Longview Fibre Co., Post Office Box 639, Longview, WA 98632. Send protests to: District Supervisor W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, 319 Southwest Pine Street, Portland, OR 97204.

No. MC 107002 (Sub-No. 424 TA), filed October 3, 1972. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, MS 39205. Applicant's representative: John J. Borth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry pentachlorophenol*, in bulk, in tank vehicles, from Memphis, Tenn., to DeQueen, Ark., and Wiggins, Miss., for 90 days. Supporting shipper: Dow Chemical, 800 Pierre Laclede Center, 7733 Forsyth Boulevard, St. Louis, MO 63105. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 108207 (Sub-No. 359 TA), filed October 2, 1972. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, 75207, Post Office Box 5888, Dallas, TX 75222. Applicant's representative: J. B. Hamm (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from St. Louis, Mo., to Davenport, Iowa, for 180 days. NOTE: Carrier does not intend to tack authority. Supporting shipper: Meyer's Horseradish Co., 2718 North 13th Street, St. Louis, MO 63106. Send protests to: District Supervisor E. K. Willis, Jr., Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, TX 75202.

No. MC 111729 (Sub-No. 361 TA), filed October 5, 1972. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success, NY 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Emergency parts* for earth-moving equipment used in construction, road building and mining operations, restricted to articles or packages weighing in the aggregate less than 75 pounds, from one consignor to one consignee on any one day, between Palatine, Ill., on the one hand, and, on the other, Attica, Bedford, Bloomington, Covington, Crawfordsville, Evansville, Fort Wayne, Indianapolis, Kokomo, Lafayette, Logansport, Muncie, Napoleon, Portland, Rochester, St. Paul, and South Bend, Ind.; Cincinnati, Cleveland, Columbus, Dayton, Franklin, Greenville, Maumee, Piqua, Sandusky, and Springfield, Ohio; Ashland, Bowling Green, Hopkinsville, Lexington, Louisville, and Owensboro, Ky.; Farmington, Fredericktown, Hannibal, Hermann, Montgomery City, St. Louis, Sullivan, and Vandalia, Mo.; Eau Claire, Elroy, Fond du Lac, Green Bay, Janesville, Madison, Mayville, Menasha, Milwaukee, Oshkosh, Plain, Racine, Sussex, and Wausau, Wis.; Detroit, Livonia, Monroe, and Ottawa Lake, Mich.; Ames, Cedar Falls, Cedar Rapids, Clinton, Davenport, Des Moines, Fort Dodge, Mason City, Ottumwa, and Sioux City, Iowa, for 90 days. Supporting shipper: Euclid, Inc. (Euclid Parts Sales Co.), 619 Vermont Street, Palatine, IL 60067. Send protests to: Thomas W. Hopp, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, NY.

No. MC 112520 (Sub-No. 264 TA), filed October 2, 1972. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Post Office Box 1200, Tallahassee, FL 32302. Applicant's representative: Sol H. Proctor, 2501 Golf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground clay*, in bulk, in tank vehicles, from points in Marion County, Fla., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, New Jersey, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and West Virginia, for 180 days. Supporting shipper: Mid-Florida Mining Co., Post Office Box 68, Lowell, FL 32663. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 112822 (Sub-No. 247 TA), filed September 29, 1972. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, OK 74023. Applicant's representative: Joe W. Ballard (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment and supplies* used in the manufacture of such products as are manufactured or distributed by manufacturers of cheese and cheese products, from points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, Wyoming, and Memphis, Tenn., to Marshfield, Wis., for 180 days. Supporting shipper: James E. Coleman, Traffic Manager, Figi's Inc., Marshfield, Wis. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 112963 (Sub-No. 30 TA), filed October 3, 1972. Applicant: ROY BROS., INC., 764 Boston Road, Pinehurst, MA 01866. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, from Everett, Mass., to points in Connecticut, Maine, New York, Vermont, Ohio, and Pennsylvania, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, MO 63166. Send protests to: James F. Martin, Jr., Assistant Regional Director, Interstate Commerce Commission, Bureau of Operations, JFK Federal Building, Government Center, Boston, Mass. 02203.

No. MC 113388 (Sub-No. 100 TA), filed October 6, 1972. Applicant: LESTER C. NEWTON TRUCKING CO., Post Office Box 618, Seaford, DE 19973. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid similac and infant feeding devices*, in vehicles equipped with mechanical refrigeration from the plantsite of Ross Laboratories at or near Altavista, Va., to points in Maryland, Pennsylvania, New Jersey, New York, Connecticut, and Massachusetts, for 180 days. Supporting shipper: Donald L. Finke, Traffic Manager, Ross Laboratories, 625 Cleveland Avenue, Columbus, OH 43216. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 814-B Federal Building, Baltimore, Md. 21201.

No. MC 113908 (Sub-No. 239 TA), filed October 5, 1972. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, Post Office Box 3180, Glenstone Station, Springfield, MO 65804. Applicant's representative B. B. Whitehead (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid soap*, in bulk, in tank vehicles, from Denver, Colo., to

Metaire-New Orleans, La., for 180 days. Supporting shipper: Foresight, Inc., 1645 Court Place, Denver, CO 80202. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, MO 64106.

No. MC 115036 (Sub-No. 22 TA), filed October 6, 1972. Applicant: VAN TASSEL, INCORPORATED, Fifth and Grand, Pittsburg, Kans. 66762. Applicant's representative: Dykeman, Williamson & Williamson, Suite 280, National Foundation Life Center, Oklahoma City, Okla. 73112. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toulene diisocyannate*, in drums or packages, from Moundsville and Institute, W. Va., to Pittsburg, Kans., for 180 days. Supporting shipper: Dickey Clay Manufacturing Co., Post Office Box 6, Pittsburg, KS 66762. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 116763 (Sub-No. 230 TA), filed September 22, 1972. Applicant: CARL SUBLER TRUCKING, INC., Route 92, Post Office Box 215, Auburndale, FL 33823. Applicant's representative: H. M. Richters, North West Street, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foodstuffs*, from the facilities of Big Stone Canning Co., at Arlington and Ortonville, Minn., to points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Vermont, for 180 days. Supporting shipper: Big Stone Canning Co., Post Office Box 86, Chaska, MN 55318. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514-B Federal Building, 550 Main Street, Cincinnati, OH 45202.

No. MC 117160 (Sub-No. 4 TA), filed October 2, 1972. Applicant: ROBERTS CARTAGE, INC., 2088 South Arlington Street, Post Office Box 1252, Akron, OH 44309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except explosives classes A and B, moving on an air carrier through bill of lading in service substituted for air service, between Hopkins Airport, Cleveland, Ohio, on the one hand, and John F. Kennedy Airport, and La Guardia Airport, New York, N.Y., and Newark Airport, Newark, N.J., on the other, for 180 days. Supporting shippers: The Flying Tiger Line, Inc., 7401 World Way West, International Airport, Los Angeles, CA 90009; Emery Air Freight Corp., 415 Madison Avenue, New York, NY 10017. Send protests to: Franklin D. Bail, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 119315 (Sub-No. 16 TA), filed September 9, 1972. Applicant: FREIGHTWAY CORPORATION, 131 Matzinger Road, Toledo, OH 43612. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Plastic film or sheeting*, from Linden, N.J., Akron, Ohio, and Jeanette, Pa., to the plantsite of Johns-Manville Fiber Glass, Inc., at Vienna, W. Va.; (b) *sizing, emulsified petroleum* (except commodities in bulk), from Brooklyn, N.Y., to the plantsite of Johns-Manville Fiber Glass, Inc., at Vienna, W. Va.; (c) *machinery or machinery parts*, from Defiance and Montpelier, Ohio, to the plantsite of Johns-Manville Fiber Glass, Inc., at Vienna, W. Va.; (d) *building, roofing, or sheathing paper*, from Kaukauna, Wis., to the plantsite of Johns-Manville Fiber Glass, Inc., at Vienna, W. Va.; (e) *liquid latex* (except commodities in bulk), from Milwaukee, Wis., to the plantsite of Johns-Manville Fiber Glass, Inc., at Vienna, W. Va.; (f) *cloth, cotton, or synthetic fiber*, from New Milford, Conn., to the plantsite of Johns-Manville Fiber Glass, Inc., at Vienna, W. Va.; and (g) *paper bags*, from Shelbyville, Ind., and Chicago, Ill. to the plantsite of Johns-Manville Fiber Glass, Inc., at Vienna, W. Va., for 180 days. Supporting shipper: Johns-Manville Fiber Glass Division, Post Office Box 5128, 2905 Third Avenue, Vienna, WV 26101. Send protests to: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 534 Federal Office Building, 234 Summit Street, Toledo, OH 43604.

No. MC 119543 (Sub-No. 8 TA), filed October 4, 1972. Applicant: HENRY M. LANCIANI, Leominster Road, Sterling, Mass. 01564, Mailing: R.F.D. Leominster, Mass. 01453. Applicant's representative: Arthur A. Wentzell, Post Office Box 764, Worcester, MA 01613. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, in bulk, in dump semitrailers, from port of entry at Highgate Springs, Vt., on the international boundary line between the United States and Canada, to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, for 180 days. Supporting shipper: Hickman, William & Co., Merlin Tower, 1518 Walnut Street, Philadelphia, PA 19102. Send protests to: District Supervisor Joseph W. Balin, Interstate Commerce Commission, Bureau of Operations, 338 Federal Building and U.S. Courthouse, 436 Dwight Street, Springfield, MA 01103.

No. MC 120098 (Sub-No. 22 TA), filed September 29, 1972. Applicant: UINTAH FREIGHTWAYS, 1030 South Redwood Road, Salt Lake City, UT 84104. Applicant's representative: Richards & Richards, 900 Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barite*, from points in Lander and Eureka Counties, Nev., and from Salt Lake City, Utah, to points in Wyoming, for 180 days. Supporting shipper: Imco Services, a Division of Halliburton Co., Post Office Box 22605, Houston, TX 77027 (G. Tilton, Director of Purchasing and Transportation). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5239 Federal Building, 125 South State Street, Salt Lake City, UT 84111.

No. MC 123048 (Sub-No. 232 TA), filed October 3, 1972. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Post Office Box A (53401), Racine, WI 53403. Applicant's representative: Carl S. Pope (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Attachments, parts and castings* for tractors and agricultural implements and farm machinery, from Charles City, Iowa, to ports of entry on the United States-Canada boundary line at or near Detroit and Port Huron, Mich., for 180 days. Supporting shipper: White-Cockshutt Farm Equipment, Division, of White Motor Corp. of Canada, Ltd., 148 Mohawk Street, Brantford, ON, Canada (Douglas W. Haney, Traffic and Customs Manager). Send protests to: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 123255 (Sub-No. 29 TA), filed October 3, 1972. Applicant: B & L MOTOR FREIGHT, INC., 140 East Everett Avenue, Newark, OH 43055. Applicant's representative: G. F. Schnee, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberglass and fiberglass products*, from Shelbyville, Ind., to Nashville, Tenn., for 180 days. Supporting shipper: PPG Industries, Inc., 1 Gateway Center, Pittsburgh, PA 15222. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operation, 255 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, OH 43215.

No. MC 124309 (Sub-No. 6 TA), filed October 3, 1972. Applicant: ALPHIE J. BOUSLEY, Route 3, Box 61A, Armstrong Creek, WI 54103. Applicant's representative: William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, WI 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hardwood flooring systems, hardwood flooring, lumber and lumber products, synthetic plastic composition, facing or floor covering, and materials, accessories and supplies* used in the installation thereof; and *materials and supplies* used in the manufacture and distribution of the commodities named above (except commodities in

bulk), between White Lake, Wis., and Ishpeming, Mich., on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, Idaho, Utah, Alaska, Arizona, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Texas, Kansas, and Oklahoma, for 180 days. Supporting shipper: Robbins Flooring Co., Division of Cook Industries, Inc., Post Office Box 16902, 2221 Democrat Road, Memphis, TN 38116 (Earl H. Koen, Jr., Traffic Manager). Send protests to: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 124373 (Sub-No. 11 TA), filed October 2, 1972. Applicant: NELMAR TRUCKING CO., Foot of Duncan Avenue and Highway 440, Jersey City, N.J. 07306. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities, materials, equipment and supplies* dealt in, used by or sold in wholesale and retail chain store supermarkets and warehouses (except commodities in bulk), between Carlstadt, N.J., on the one hand, and, on the other, points in Maryland, Virginia, and the District of Columbia, under contract with Greenbelt Consumer Services, Inc., for 180 days. Supporting shipper: Consumers Supermarkets Division of Greenbelt Consumer Services, Inc., 8547 Piney Branch Road, Silver Springs, MD 20901. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 126844 (Sub-No. 17 TA) (Correction), filed September 25, 1972, published in the FEDERAL REGISTER issue of October 12, 1972, corrected and republished in part as corrected this issue. Applicant: R. D. S. TRUCKING CO., INC., 1713 North Main Road, Vineland, NJ 08360. Applicant's representative: Terrence D. Jones, 1108 16th Street NW., Suite 400, Washington, DC 20036. NOTE: The purpose of this partial republication is to include the State of New York as a destination point. The rest of the notice remains the same.

No. MC 135220 (Sub-No. 3 TA), filed October 5, 1972. Applicant: MORRIS MILLER, 288 Maple Avenue, Cassadaga, NY 14718. Applicant's representative: William J. Hirsch, 35 Court Street, Suite 444, Buffalo, NY 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Empty beverage containers;* and (2) *malt beverages*, (1) from Buffalo, N.Y., to Columbus, Ohio; and (2) from Columbus, Ohio, to Buffalo, N.Y., for 90 days. Supporting shipper: August Wagner Breweries, Inc., 605–31 South Front Street, Columbus, OH 43216. Send protests to: District Supervisor George M. Parker, Interstate Commerce Commission, Bureau of Operations, 612 Federal Office Bldg., 111 West Huron Street, Buffalo, NY 14202.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-18391 Filed 10-26-72;8:56 am]

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federal register

FRIDAY, OCTOBER 27, 1972
WASHINGTON, D.C.

Volume 37 ■ Number 208

PART II

DEPARTMENT OF LABOR

Employment Standards Administration

■

Minimum Wages for Federal and Federally Assisted Construction

Area Wage Determination Decisions and Modifications

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Area Wage Determination Decision and Modifications to Area Wage Determination Decisions

New determination. There is set forth below general Area Wage Determination Decision No. AP-137 of the Secretary of Labor. This decision specifies, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the locality specified therein. This decision is applicable to Federal and federally assisted construction in the described locality in the State of Tennessee.

The determinations in this decision of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 F.R. 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in this decision shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of this determination as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

This wage determination is effective without limitation as to time and is to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, this determination together with any modifications issued subsequent to this date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS TO AREA WAGE DETERMINATION DECISIONS

Modifications to area wage determination decisions for specified localities in the States of Alabama, Georgia, Idaho, Indiana, Kansas, Kentucky, Maryland, Missouri, New Mexico, New York, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, Virginia, and Washington.

Area wage determination decisions published in the FEDERAL REGISTER on the following dates:

Decision No.	*Date*
AM-1,722; AM-1,727; AM-1,733; AM-1,734.	Aug. 11, 1971.
AM-1,859; AM-1,863; AM-1,864.	Aug. 20, 1971.
AM-5,972	Dec. 17, 1971.
AM-6,705	Mar. 10, 1972.
AM-6,724	Apr. 28, 1972.
AM-11,418	May 5, 1972.
AM-6,728; AM-8,611	May 19, 1972.
AM-8,623	June 16, 1972.
AP-107	July 21, 1972.
AP-209; AP-409; AP-410	Aug. 4, 1972.
AP-306; AP-308	Aug. 11, 1972.
AP-120; AP-312	Aug. 18, 1972.
AP-227; AP-313; AP-314; AP-315; AP-316.	Aug. 25, 1972.
AP-322; AP-323	Sept. 15, 1972.
AP-17; AP-18; AP-19; AP-21; AP-22; AP-342; AP-343; AP-344; AP-345; AP-349; AP-350; AP-421.	Sept. 29, 1972.
AP-132; AP-133; AP-134; AP-508.	Oct. 13, 1972.

are hereby modified as set forth below.

These modifications are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since these determinations were issued.

The determinations of prevailing rates and fringe benefits made in these modifications have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 F.R. 21138), and of Secretary of Labor's Orders 13-71 and 15-71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in the foregoing area wage determination decisions, as hereby modified shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

The modifications are effective from their date of publication in the FEDERAL REGISTER (10-27-72) and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 is set forth in the document being modified.

Signed at Washington, D.C., this 20th day of October 1972.

HORACE E. MENASCO,
Administrator,
Wage and Hour Division.

NEW DECISION

STATE: Tennessee COUNTY: Sullivan
DECISION NO.: AP-137 DATE: Date of Publication
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

82-R-Tenn.-A

RESIDENTIAL CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Air condition mechanics	$4.08					
Bricklayers	5.25					
Carpenters	3.50					
Carpenters' helpers	2.25					
Cement masons	3.25					
Drywall finishers	3.50					
Drywall hangers	3.25					
Electricians	3.87					
Electricians' helpers	2.50					
Ironworkers, reinforcing	2.25					
Laborers:						
Laborers	2.04					
Mason tenders	2.25					
Mortar mixers	2.50					
Painters, brush	3.25					
Plumbers	4.50					
Plumbers' helpers	3.00					
Power Equipment Operators:						
Bulldozers	3.50					
Front end loeaders	3.50					
Trenching machine	3.00					
Shovels	3.00					
Roofers	3.00					
Sheet metal workers	3.25					
Sheet metal workers' helpers	2.65					
Soft floor layers	3.29					
Stonemasons	5.25					
Tile setters	3.00					
Tile setters' helpers	2.50					
Truck drivers	3.00					
Welders - Rate for Craft.						

MODIFICATIONS P. 1

DECISION #AP-120 - Mod. #3
(37 FR 16734 - August 18, 1972)
Jefferson County, Alabama

Change:

37 - ALA - LAB - 1 - B

BUILDING CONSTRUCTION LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A: Air or electric tool operators	$4.60	.15	.20		
GROUP B: Vibrators operators, chain saw ops., of mechanical equipment which replaces wheelbarrows or buggies, power mowers, mortar mixers, pipe layers, conc. & clay	4.55	.15	.20		
GROUP C: Plasterers' tenders & hod carriers	4.50	.15	.20		
GROUP D: Asphalt rakers	4.60	.15	.20		
GROUP E: Mason tenders & building laborers	4.45	.15	.20		
GROUP F: Burners on demolition, wagon drill operators	4.85	.15	.20		
GROUP G: Powderman	5.275	.15	.20		
GROUP H: Caisson-driller	5.20	.15	.20		
GROUP I: Mucker	4.55	.15	.20		
GROUP J: Tunnel miner	5.25	.15	.20		
GROUP K: Pneumatic concrete gun operator and nozzleman	5.15	.15	.20		
GROUP L: Chuck tender	5.00	.15	.20		
GROUP M: Tunnel laborer	4.85	.15	.20		

MODIFICATIONS P. 2

DECISION #AP-107 - Mod. #4
(37 FR 14675 - July 21, 1972)
Chatham County, Georgia

Change:

Ga. - 2 - PEO - 1 - K

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS: GROUP A: Air compressors, batchplant, bulldozers, fork tractors, mixers, endloader, scrapers, patrol and tuggers	$6.25	.30	.30		.01
GROUP B: Crane, derrick, draglines, sidebooms, cherry pickers, mechanics, piledrivers, backhoes, concrete pump	6.85	.30	.30		.01
GROUP C: Distributors, finishing machines, rollers, plain tractors, firemen	6.00	.30	.30		.01
GROUP D: Master mechanic	7.35	.30	.30		.01
GROUP E: Pump operators	5.90	.30	.30		.01
GROUP F: Trenching machine, small backhoe	6.45	.30	.30		.01

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-227 - Mod. #3 (37 FR 17332 - August 25, 1972) Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone Cos., Idaho						
Change:						
Carpenters (Remainder of Counties and that portion of Idaho County north of the 46th parallel) Carpenters	6.84	.45	.40	-	.025	
Piledriver; Floor Layers; Floor Finishers; Floor Sanders; Saw Filers; Stationary Power Woodworking Tool Operator	6.99	.45	.40	-	.025	
Shingler (wood or composition)	7.04	.45	.40	-	.025	
Millwrights; Boom Men; Machine Erectors; Carpenters (creosoted material)	7.24	.45	.40	-	.025	

MODIFICATIONS P. 3

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-17-Mod. #1 (37 FR 20415-September 29, 1972) Adams, Allen, Dekalb, Elkhart, Huntingdon, Kosciusko, Lagrange, Marshall, Noble, Starke, Steuben, Wells & Whitley Counties, Indiana						
Change:						
Linemen:						
North Indiana Exclusive of Calumet Area	$7.07	.25	1%		.25%	
Calumet Area	7.36	.25	1%		.25%	
Power Equipment Operators: (Elkhart, Kosciusko, Lagrange, Marshall, Noble & Stark Cos.)						
Group I	7.10	.40	.30		.05	
Group II	6.72	.40	.30		.05	
Group III	6.34	.40	.30		.05	
Group IV	5.64	.40	.30		.05	
Power Equipment Operators: (Remainder of Counties)						
Group I	7.20	.25	.20		.05	
Group II	6.82	.25	.20		.05	
Group III	6.44	.25	.20		.05	
Group IV	5.74	.25	.20		.05	
DECISION #AP-18-Mod. #1 (37 FR P. 20420 September 29, 1972) Benton, Carrol, Cass, Clinton, Fulton, Howard, Jasper, Miami, Newton, Pulaski, Tippecanoe, Tipton, Wabash & White Counties, Indiana						
Change:						
Linemen:						
Benton, Fulton, Jasper, Newton, Pulaski & White Counties						
North Indiana Exclusive of Calumet Area	$7.07	.25	1%		.25%	
Calumet Area	7.36	.25	1%		.25%	
Power Equipment Operators: (Fulton, Jasper, Newton & Pulaski Counties)						
Group I	7.10	.40	.30		.05	
Group II	6.72	.40	.30		.05	
Group III	6.34	.40	.30		.05	
Group IV	5.64	.40	.30		.05	
Power Equipment Operators: (Remainder of Counties)						
Group I	7.20	.25	.20		.05	

MODIFICATIONS P. 4

DECISION #AP-18 (cont'd)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group II	6.82	.25	.20		.05	
Group III	6.44	.25	.20		.05	
Group IV	5.74	.25	.20		.05	
DECISION #AP-19-Mod. #1 (37 FR 20424 September 29, 1972) Blackford, Delaware, Fayette, Grant, Hamilton, Hancock, Henry, Jay, Johnson, Madison, Marion, Randolph, Rush, Shelby, Union & Wayne Counties, Indiana						
Change:						
Power Equipment Operators:						
Group I	$7.20	.25	.20		.05	
Group II	6.82	.25	.20		.05	
Group III	6.44	.25	.20		.05	
Group IV	5.74	.25	.20		.05	
DECISION #AP-21-Mod. #1 (37 FR 20433 September 29, 1972) Bartholomew, Brown, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Lawrence, Martin, Monroe, Ohio, Orange, Ripley, Scott, Switzerland & Washington Counties, Indiana						
Change:						
Power Equipment Operators: (Remainder of Counties)						
Group I	7.15	.25	.25		.05	
Group II	6.77	.25	.25		.05	
Group III	6.39	.25	.25		.05	
Group IV	5.69	.25	.25		.05	
DECISION #AP-22-Mod. #1 (37 FR 20437 September 29,1972) Crawford, Dubois, Gibson, Perry, Pike, Posey, Spencer, Vanderburgh & Warrick Counties, Indiana						
Change:						
Power Equipment Operators:						
Group I	7.15	.25	.25		.05	

MODIFICATIONS P. 5

DECISION #AP-22 (cont'd)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group II	6.77	.25	.25		.05	
Group III	6.39	.25	.25		.05	
Group IV	5.69	.25	.25		.05	

MODIFICATIONS P. 6

DECISION #AP-132 - Mod. #1
(37 FR 21763 - October 13, 1972)
Jefferson County, Kentucky

Change:

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Building Construction:						
Marble, tile and terrazzo workers	$7.60	.25	.40			
Sheet Metal Workers	8.55	.60	.60			
Truck Drivers:						
3 tons and under	4.52	a	a	b		
Over 3 tons	4.63	a	a	b		
Semi-trailer, tandem axle or pole trailers and dumps	4.63	a	a	b		
Euclid and other heavy earth moving equipment and lowboy	4.80	a	a	b		
Winch truck and A-Frame and monirail truck when used to transport building materials	4.80	a	a	b		
Fork lift truck when used to transport building materials	4.80	a	a	b		
Mechanic	4.70	a	a	b		
Mechanic helpers, greasers and tire changers	4.52	a	a	b		
Helpers	4.40	a	a	b		
Concrete mixers (all types), hauling only on job site	4.70	a	a	b		

Footnotes:

a. $17.50 contribution (Health, Welfare, & Pension combined) per week for each employee whose name appears on the payroll that week who has been employed a minimum of 20 work days within any 90 consecutive day period.

b. Employees who have been regularly employed on a project by an employer for one year and who have worked a minimum of 1200 hours during the year receive a vacation and pay for 40 hours. Employees who have been regularly employed on a project by an employer for one year, and who have worked a minimum of 650 hours during the year receive a vacation and pay for 20 hours. Employees who have worked 1200 hours since their 2nd year of employment and have completed three years receive an additional week vacation (40 hours).

MODIFICATIONS P. 7

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-133 - Mod. #1 (37 FR 21766 - October 13, 1972) Warren County, Kentucky						
Change:						
Building Construction:						
Truck Drivers:						
3 tons and under	$4.52	a	a	b		
Over 3 tons	4.63	a	a	b		
Semi-trailer, tandem axle or pole trailers and dumps	4.63	a	a	b		
Euclid and other heavy earth moving equipment and lowboy	4.80	a	a	b		
Winch truck and A-Frame and monirail truck when used to transport building materials	4.80	a	a	b		
Fork lift truck when used to transport building materials	4.80	a	a	b		
Mechanic	4.70	a	a	b		
Mechanic helpers, greasers and tire changers	4.52	a	a	b		
Helpers	4.40	a	a	b		
Concrete mixers (all types), hauling only on job site	4.70	a	a	b		

Footnotes:

a. $17.50 contribution (Health, Welfare, & Pension combined) per week for each employee whose name appears on the payroll that week who has been employed a minimum of 20 work days within any 90 consecutive day period.

b. Employees who have been regularly employed on a project by an employer for one year and who have worked a minimum of 1200 hours during the year receive a vacation and pay for 40 hours. Employees who have been regularly employed on a project by an employer for one year, and who have worked a minimum of 650 hours during the year receive a vacation and pay for 20 hours. Employees who have worked 1200 hours since their 2nd year of employment and have completed three years receive an additional week vacation (40 hours).

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-134 - Mod. #1 (37 FR 21769 - October 13, 1972) McCracken County, Kentucky						
Change:						
Building Construction:						
Cement Masons	$5.35	.40	.20		.03	
Cement Masons working on swinging scaffold up to 50'	5.60	.40	.20		.03	

MODIFICATIONS P. 8

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-409 - Mod. #6 (37 FR 15821 - August 4, 1972) Montgomery and Prince Georges Counties, Maryland; City of Alexandria, Virginia; Arlington and Fairfax Counties, Virginia and Dulles International Airport						
Change:						
Modification #3 - 37 FR 21696 - October 13, 1972 to read:						
Modification #4						
DECISION #AP-410 - Mod. #5 (37 FR 15283 - August 4, 1972) Baltimore City and County, Maryland						
Change:						
Laborers:						
Laborers	$5.40	.20	.225		.025	
Hod carriers	5.50	.20	.225		.025	
Plasterers' laborers	5.55	.20	.225		.025	
Power tool operator	5.50	.20	.225		.025	
Pipelayers (concrete & clay)	5.60	.20	.225		.025	
Wagon drill operator	5.65	.20	.225		.025	

MODIFICATIONS P. 9

DECISION #AM-6,724 - Mod. #5
(37 FR 8642 - April 28, 1972)
Cass, Clay, Jackson, Platte, & Ray Counties, Missouri and Johnson & Wyandotte Counties, Kansas

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Change:						
Building Construction						
"Cass, Clay, Jackson, Platte, & Ray Counties, Missouri"						
Soft floor layers(not incl. Cass County, Missouri)	$7.09	.35	.25	7%	.05	
"Johnson & Wyandotte Counties, Kansas"						
Soft floor layers	7.09	.35	.25	7%	.05	
Omit:						
Line Construction schedule (Cass, Clay, Jackson, Platte, & Ray Cos., Missouri)						
Line Construction schedule (Johnson, & Wyandotte Cos., Kansas)						
Add:						
Line Construction schedule (Cass, Clay, Jackson, Platte, & Ray Cos., Missouri)						
Line Construction schedule (Johnson, & Wyandotte Cos., Kansas						

Line Construction - 1 - c

"JACKSON, PLATTE, RAY, CLAY, & CASS COUNTIES, MISSOURI"

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LINEMAN	$7.95	.15	1%+.15		½%	
LINEMAN OPERATOR	7.50	.15	1%+.15		½%	
LINEMAN MECHANIC	6.37	.15	1%+.15		½%	
GROUNDMAN POWDERMAN	5.47	.15	1%+.15		½%	
GROUNDMAN	5.19	.15	1%+.15		½%	
GROUNDMAN (1st year)	4.79	.15	1%+.15		½%	

Line Construction - 2 - c

Johnson & Wyandotte Counties, Kansas

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LINEMAN	$7.60	.15	1%+.15		½%	
LINEMAN OPERATOR	7.60	.15	1%+.15		½%	
LINEMAN MECHANIC	6.01	.15	1%+.15		½%	
GROUNDMAN POWDERMAN	5.21	.15	1%+.15		½%	
GROUNDMAN	4.83	.15	1%+.15		½%	
GROUNDMAN (1st year)	3.95	.15	1%+.15		½%	

MODIFICATIONS P. 10

DECISION #AM-6,728 - Mod. #5
(37 FR 10253 - May 19, 1972)
Cass, Clay, Jackson, Platte, & Ray Counties, Missouri and Johnson & Wyandotte Counties, Kansas

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Change:						
Building Construction						
Cass, Clay, Jackson, Platte, & Ray Counties, Missouri						
Soft floor layers(not incl. Cass County, Missouri)	$7.09	.35	.25	7%	.05	
"Johnson & Wyandotte Counties, Kansas"						
Soft floor layers	7.09	.35	.25	7%	.05	
Omit:						
Line Construction schedule (Jackson, Platte, Ray, Clay, & Cass Counties, Missouri)						
Add:						
Line Construction schedule (Jackson, Platte, Ray, Clay, & Cass Counties, Missouri)						

Line Construction - 1-c

"JACKSON, PLATTE, RAY, CLAY, & CASS COUNTIES, MISSOURI"

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINEMAN	$7.95	.15	1%+.15		½%	
LINEMAN OPERATOR	7.50	.15	1%+.15		½%	
LINEMAN MECHANIC	6.37	.15	1%+.15		½%	
GROUNDMAN POWDERMAN	5.47	.15	1%+.15		½%	
GROUNDMAN	5.19	.15	1%+.15		½%	
GROUNDMAN (1st year).	4.79	.15	1%+.15		½%	

DECISION #AP-508 - Mod. #1
(37 FR 7432 - October 13, 1972)
Linn and Pettis Counties, Missouri

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Omit:						
Line Construction schedule(Linn County)						
Line Construction schedule(Pettis County)						
Add:						
Line Construction schedule (Linn County)						
Line Construction schedule (Pettis County)						

Line Construction - 1-c

Pettis County

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINEMAN	$7.95	.15	1%+.15		½%	
LINEMAN OPERATOR	7.50	.15	1%+.15		½%	
LINEMAN MECHANIC	6.37	.15	1%+.15		½%	
GROUNDMAN POWDERMAN	5.47	.15	1%+.15		½%	
GROUNDMAN	5.19	.15	1%+.15		½%	
GROUNDMAN (1st year)	4.79	.15	1%+.15		½%	

Line Construction -2-c

Linn County

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINEMAN	$7.60	.15	1%+.15		½%	
LINEMAN OPERATOR	7.60	.15	1%+.15		½%	
LINEMAN MECHANIC	6.01	.15	1%+.15		½%	
GROUNDMAN POWDERMAN	5.21	.15	1%+.15		½%	
GROUNDMAN	4.83	.15	1%+.15		½%	
GROUNDMAN (1st year)	3.95	.15	1%+.15		½%	

DECISION #AP-322 - Mod. #1
(37 FR 18876 - September 15, 1972)
Los Alamos County, New Mexico

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Change:						
General Building and Heavy Engineering Construction:						
Marble, terrazzo, tile workers	$6.90	.25				
Marble, terrazzo, tile workers helper	5.425	.25				
Sprinkler fitters	8.35	.30	.50		.05	

DECISION #AP-323 - Mod. #1
(37 FR 18879 - September 15, 1972)
Bernalillo County, New Mexico

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Change:						
General Building and Heavy Engineering Construction:						
Tile, Marble and Terrazzo workers	5.775	.25				
Tile, Marble and Terrazzo workers helper	4.30	.25				
Sprinkler fitters	8.35	.30	.50		.05	
Add:						
General Building and Heavy Engineering Construction:						
Sound installers	6.35	.25	1%		1/7%	

DECISION #AM-1,722 - Mod. #7

(36 FR 14912 - August 11, 1971)
Albany County, New York

Change:
Laborers Schedule
(Heavy & Highway)

Power Equipment Operators' Schedule
(Heavy & Highway)

MODIFICATIONS P. 13

NY-1-LAB-2-3-G

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	(Other)
LABORERS:						
Laborers and driller helpers	$ 5.78	.50	.65	a		
Concrete aggregate bin, mortar mixer, hand or machine vibrator gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper, pipelayers	5.98	.50	.65	a		
Drillers, asphalt rakers, stone or granite curb setters and acetylene torch operator	6.18	.50	.65	a		
Blasters, form setters, stone or granite curb setters	6.38	.50	.65	a		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing the employee works the day before and after the holiday.

DECISION #AM-1,722 (cont'd)

MODIFICATIONS P. 14

N.Y. 23-PEO-2-3-G 1of2

HEAVY AND HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS:						
Automatic fine grader, backhoe (except tractor mounted, rubber-tired), blacktop, plant (automated), cableway, caisson auger, central mix concrete plant (automated), Cherry picker-over 5 tons capacity, crane, cranes & derricks (steel erection), dragline, dual drum paver, excavator-all purpose-hydraulically operated, front end loader (4 C.Y. & over), hoist, two or three drums pile-driver, power grader with elevating loader attachment, Quarry master (or equivalent), shovel, slip form paver (if a second man is needed, he shall be an oiler), tractor drawn belt-type loader, truck crane, tunnel shovel	$7.75	.65	.25	a	.10	
Backhoe (tractor mounted, rubber-tired) bituminous spreader & mixer, blacktop plant (non-automated), boring machine cage hoist, central mix plant (non-automated) & all concrete batching plants, cherry picker-5 tons & under, compressors (4 or less) exceeding 2,000 C.F.M. combined capacity, concrete paver (over 16-S), concrete pump, crusher, drill rigs, tractor mounted, front end loader (under 4 c.y.), hi-pressure boiler (15 lbs., & over), hoist, one drum, Kolman plant loader & similar type loaders (if employer requires another man to clean screen or to maintain the equipment he shall be an oiler), maintenance engineer, mixer for stabilized base, self, propelled, monorail machine plant engineer, power grader, pump crete, ready-mix concrete plant, maintenance grease man, road widener, roller (all above subgrade), side boom, tractor scraper, tractor with dozer &/or pusher, winch	7.45	.65	.25	a	.10	
Compressors (4 not to exceed 2,000 C.F.M. combined capacity; or 3 or less with more than 1,200 C.F.M., but not to exceed 2,000 C.F.M. compressors (any size but subject to other provision for compressors), dust collectors, generators, pumps, welding machines						

DECISION #AM-1,722 (cont'd)

N.Y. 23-PEO-2-3-G 2 of 2

HEAVY AND HIGHWAY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (cont'd) (4 of any type or combination), concrete pavement spreaders & finishers conveyor, drill core & well, electric pump used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift gunnite machine, hammers, hydraulic self-propelled, locomotive, post hole digger & post driver, roller (grader & fill), tractor with towed accessories, vibratory compactor, vibro, tamp, well point	$7.00	.65	.25	a	.10	
Aggregate plant, boiler (used in conjunction with production), cement bin operator, compressors; 3 or less not to exceed 1,200 c.f.m. combined capacity, compressors (any size, but subject to other provisions, for compressors), dust collectors, generators, pumps, welding machines (3 or less of any type or combination), concrete mixer (16-S and under), concrete saw-self-propelled, firemen, form tamper, mulching machine, oiler, power broom power heaterman, revinius widener, steam cleaner, tractor	6.35	.65	.25	a	.10	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F; providing employee works the working day before and the working day after the holiday.

DECISION #AM-1,727 - Mod. #6
(36 FR 14938 - August 11, 1971)
Monroe County, New York

Change:
Laborers Schedule
(Heavy & Highway)

Power Equipment Operators Schedule
(Heavy & Highway)

NY-5-IAB-2-3-G

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS:						
Laborers and driller helpers	$5.65	.83	.45	a		
Concrete aggregate bin, mortar mixer, hand or machine vibrator gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper, pipelayers	5.85	.83	.45	a		
Drillers, asphalt rakers, stone or granite curb setters and acetylene torch operator	6.05	.83	.45	a		
Blasters, form setters, stone or granite curb setters	6.25	.83	.45	a		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing the employee works the day before and after the holiday.

MODIFICATIONS P. 17
N.Y. 23-PEO-2-3-G 1 of 2

DECISION #AM-1,727 (cont'd)

HEAVY AND HIGHWAY CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS: Automatic fine grader, backhoe (except tractor mounted, rubber-tired), blacktop, plant (automated), cableway, caisson auger, central mix concrete plant (automated), Cherry picker-over 5 tons capacity, crane, cranes & derricks (steel erection), dragline, dual drum paver, excavator-all purpose-hydraulically operated, front end loader (4 C.Y. & over), hoist, two or three drums pile-driver, power grader with elevating loader attachment, Quarry master (or equivalent), shovel, slip form paver (if a second man is needed, he shall be an oiler), tractor drawn belt-type loader, truck crane, tunnel shovel	$7.75	.65	.25	a	.10	
Backhoe (tractor mounted, rubber-tired) bituminous spreader & mixer, blacktop plant (non-automated), boring machine cage hoist, central mix plant (non-automated) & all concrete batching plants, cherry picker-5 tons & under, compressors (4 or less) exceeding 2,000 C.F.M. combined capacity, concrete paver (over 16-S), concrete pump, crusher, drill rigs, tractor mounted, front end loader (under 4 c.y.), hi-pressure boiler (15 lbs., & over), hoist, one drum, Kolman plant loader & similar type loaders (if employer requires another man to clean screen or to maintain the equipment he shall be an oiler), maintenance engineer, mixer for stabilized base, self, propelled, monorail machine plant engineer, power grader, pump crete, ready-mix concrete plant, maintenance grease man, road widener, roller (all above subgrade), side boom, tractor scraper, tractor with dozer &/or pusher, winch	7.45	.65	.25	a	.10	
Compressors (4 not to exceed 2,000 C.F.M. combined capacity; or 3 or less with more than 1,200 C.F.M., but not to exceed 2,000 C.F.M. compressors (any size but subject to other provision for compressors), dust collectors, generators, pumps, welding machines						

MODIFICATIONS P. 18
N.Y. 23-PEO-2-3-G 2 of 2

DECISION #AM-1,727 (cont'd)

HEAVY AND HIGHWAY CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHER
POWER EQUIPMENT OPERATORS: (cont'd) (4 of any type or combination), concrete pavement spreaders & finishers conveyor, drill core & well, electric pump used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift gunnite machine, hammers, hydraulic self-propelled, locomotive, post hole digger & post driver, roller (grader & fill), tractor with towed accessories, vibratory compactor, vibro, tamp, well point	$7.00	.65	.25	a	.10	
Aggregate plant, boiler (used in conjunction with production), cement bin operator, compressors; 3 or less not to exceed 1,200 c.f.m. combined capacity, compressors (any size, but subject to other provisions, for compressors), dust collectors, generators, pumps, welding machines (3 or less of any type or combination), concrete mixer (16-S and under), concrete saw-self-propelled, firemen, form tamper, mulching machine, oiler, power broom power heaterman, revinius widener, steam cleaner, tractor	6.35	.65	.25	a	.10	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F; providing employee works the working day before and the working day after the holiday.

DECISION #AM-1,733 - Mod. #6
(36 FR 14972 - August 11, 1971)
Rensellaer County, New York

Change:
Laborers Schedule
(Heavy & Highway)

Power Equipment Operators Schedule
(Heavy & Highway)

NY-27-IAB-2-3- E

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS:						
Laborers and driller helpers	$5.78	.50	.65	a		
Concrete aggregate bin, mortar mixer, hand or machine vibrator gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper, pipelayers	5.98	.50	.65	a		
Drillers, asphalt rakers, stone or granite curb setters and acetylene torch operator	6.18	.50	.65	a		
Blasters, form setters, stone or granite curb setters	6.38	.50	.65	a		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing the employee works the day before and after the holiday.

DECISION #AM-1,733 (cont'd)

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HEAVY AND HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
Automatic fine grader, backhoe (except tractor mounted, rubber-tired), blacktop, plant (automated), cableway, caisson auger, central mix concrete plant (automated), Cherry picker-over 5 tons capacity, crane, cranes & derricks (steel erection), dragline, dual drum paver, excavator-all purpose-hydraulically operated, front end loader (4 C.Y. & over), hoist, two or three drums pile-driver, power grader with elevating loader attachment, Quarry master (or equivalent), shovel, slip form paver (if a second man is needed, he shall be an oiler), tractor drawn belt-type loader, truck crane, tunnel shovel	$7.75	.65	.25	a	.10	
Backhoe (tractor mounted, rubber-tired) bituminous spreader & mixer, blacktop plant (non-automated), boring machine cage hoist, central mix plant (non-automated) & all concrete batching plant, cherry picker-5 tons & under, compressors (4 or less) exceeding 2,000 C.F.M. combined capacity, concrete paver (over 16-S), concrete pump, crusher, drill rigs, tractor mounted, front end loader (under 4 c.y.), hi-pressure boiler (15 lbs., & over), hoist, one drum, Kolman plant loader & similar type loaders (if employer requires another man to clean screen or to maintain the equipment he shall be an oiler), maintenance engineer, mixer for stabilized base, self, propelled, monorail machine plant engineer, power grader, pump crete, ready-mix concrete plant, maintenance grease man, road widener, roller (all above subgrade), side boom, tractor scraper, tractor with dozer &/or pusher, winch	7.45	.65	.25	a	.10	
Compressors (4 not to exceed 2,000 C.F.M. combined capacity; or 3 or less with more than 1,200 C.F.M., but not to exceed 2,000 C.F.M. compressors (any size but subject to other provision for compressors), dust collectors, generators, pumps, welding machines						

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N.Y. 23-PEO-2-3-G 2 of 2

DECISION #AM-1,733 (cont'd)
HEAVY AND HIGHWAY CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (cont'd) (4 of any type or combination), concrete pavement spreaders & finishers conveyor, drill core & well, electric pump used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift gunnite machine, hammers, hydraulic self-propelled, locomotive, post hole digger & post driver, roller (grader & fill), tractor with towed accessories, vibratory compactor, vibro, tamp, well point	$7.00	.65	.25	a	.10	
Aggregate plant, boiler (used in conjunction with production), cement bin operator, compressors; 3 or less not to exceed 1,200 c.f.m. combined capacity, compressors (any size, but subject to other provisions, for compressors), dust collectors, generators, pumps, welding machines (3 or less of any type or combination), concrete mixer (16-S and under), concrete saw-self-propelled, firemen, form tamper, mulching machine, oiler, power broom power heaterman, revinius widener, steam cleaner, tractor	6.35	.65	.25	a	.10	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F; providing employee works the working day before and the working day after the holiday.

DECISION #AM-1,734 - Mod. #5
(36 FR 14976 - August 11, 1971)
Schenectady Co., New York

MODIFICATIONS P. 22

Change:
Laborers Schedule
(Heavy & Highway)

Power Equipment Operators Schedule
(Heavy & Highway)

NY-29-LAB-2-3- E

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	✓ Other
LABORERS:						
Laborers and driller helpers	$5.78	.50	.65	a		
Concrete aggregate bin, mortar mixer, hand or machine vibrator gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper, pipelayers	5.98	.50	.65	a		
Drillers, asphalt rakers, stone or granite curb setters and acetylene torch operator	6.18	.50	.65	a		
Blasters, form setters, stone or granite curb setters	6.38	.50	.65	a		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing the employee works the day before and after the holiday.

MODIFICATIONS P. 23

DECISION #AM-1,734 (cont'd) N.Y. 23-PEO-2-3-G 1of2

HEAVY AND HIGHWAY CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTH
POWER EQUIPMENT OPERATORS: Automatic fine grader, backhoe (except tractor mounted, rubber-tired), blacktop, plant (automated), cableway, caisson auger, central mix concrete plant (automated), Cherry picker-over 5 tons capacity, crane, cranes & derricks (steel erection), dragline, dual drum paver, excavator-all purpose-hydraulically operated, front end loader (4 C.Y. & over), hoist, two or three drums pile-driver, power grader with elevating loader attachment, Quarry master (or equivalent), shovel, slip form paver (if a second man is needed, he shall be an oiler), tractor drawn belt-type loader, truck crane, tunnel shovel	$7.75	.65	.25	a	.10	
Backhoe (tractor mounted, rubber-tired) bituminous spreader & mixer, blacktop plant (non-automated), boring machine cage hoist, central mix plant (non-automated) & all concrete batching plants. Cherry picker-5 tons & under, compressors (4 or less) exceeding 2,000 C.F.M. combined capacity, concrete paver (over 16-S), concrete pump, crusher, drill rigs, tractor mounted, front end loader (under 4 c.y.), hi-pressure boiler (15 lbs., & over), hoist, one drum, Kolman plant loader & similar type loaders (if employer requires another man to clean screen or to maintain the equipment he shall be an oiler), maintenance engineer, mixer for stabilized base, self, propelled, monorail machine plant engineer, power grader, pump crete, ready-mix concrete plant, maintenance grease man, road widener, roller (all above subgrade), side boom, tractor scraper, tractor with dozer &/or pusher, winch	7.45	.65	.25	a	.10	
Compressors (4 not to exceed 2,000 C.F.M. combined capacity; or 3 or less with more than 1,200 C.F.M., but not to exceed 2,000 C.F.M. compressors (any size but subject to other provision for compressors), dust collectors, generators, pumps, welding machines						

MODIFICATIONS P. 24

DECISION #AM-1,734 (cont'd) N.Y. 23-PEO-2-3-G 2 of 2

HEAVY AND HIGHWAY CONSTRUCTION

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (cont'd) (4 of any type or combination), concrete pavement spreaders & finishers conveyor, drill core & well, electric pump used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift gunnite machine, hammers, hydraulic self-propelled, locomotive, post hole digger & post driver, roller (grader & fill), tractor with towed accessories, vibratory compactor, vibro, tamp, well point	$7.00	.65	.25	a	.10	
Aggregate plant, boiler (used in conjunction with production), cement bin operator, compressors; 3 or less not to exceed 1,200 c.f.m. combined capacity, compressors (any size, but subject to other provisions, for compressors), dust collectors, generators, pumps, welding machines (3 or less of any type or combination), concrete mixer (16-S and under), concrete saw-self-propelled, firemen, form tamper, mulching machine, oiler, power broom power heaterman, revinius widener, steam cleaner, tractor	6.35	.65	.25	a	.10	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F; providing employee works the working day before and the working day after the holiday.

MODIFICATIONS P. 25

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DECISION #AM-1,859 - Mod. #7 (36 FR 16299 - August 20, 1971) Mercer County, Pennsylvania						
Change:						
Heavy and Highway Construction:						
Carpenters	$7.11	6%	3%			
Piledrivermen	7.96	5%	6%			
Truck Drivers Schedule**						
**See Modifications P. 26						
DECISION #AP-308 - Mod. #6 (37 FR 16354 - August 11, 1972) Oklahoma County, Oklahoma						
Change:						
Sprinkler fitters	8.35	.30	.50		.05	
DECISION #AP-316 - Mod. #3 (37 FR 17356 - August 25, 1972) Tulsa County, Oklahoma						
Change:						
Sprinkler fitters	8.35	.30	.50		.05	

MODIFICATIONS P. 26

DECISION #AM-1,859 (cont'd.)

Change:

Heavy & Highway Construction:

Truck Drivers:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Trucks under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pick-up, and similar equipment, parts man and warehouseman)	$5.70	6%	3.5%		
Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease)	5.85	6%	3.5%		
Tri-axle trucks	5.93	6%	3.5%		
Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 ft. width (such as euclids: end or belly dump, single twin-engined or tandem: athey wagon: pay loader, tournawagons, and similar equipment when not self-loaded rated under forty-five tons)	5.93	6%	3.5%		
Heavy off-the-road equipment (rated at forty-five tons or over)	6.03	6%	3.5%		
Heavy duty trailer, such as low boy, hi-boy, pole trailer, A-Frames (when used for transporting materials), dumpsters, ross carriers, form trucks, dual-purpose trucks (when load has been loaded or unloaded with truck winch, loading, hauling and unloading), mechanical tailgate trucks, bucket self-loading trucks, farm tractors (when pulling and hauling), fork lift trucks (in storage areas and warehouses)	6.01	6%	3.5%		
Single-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.75	6%	3.5%		
Tandem-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.85	6%	3.5%		
Tri-axle Ready-Mixed Concrete Trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)	5.93	6%	3.5%		
Ready-mixed Concrete Trucks with towed or built-in attachments (10¢ per hour additional to respective size truck					
Tar and Asphalt Distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.)	5.85	6%	3.5%		
Tar and Asphalt Trailer Trucks	5.93	6%	3.5%		
Trucks with Dolly or Trailer	5.80	6%	3.5%		
Bottom or Belly-Dump Trucks	6.03	6%	3.5%		

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-1,863 - Mod. #5 (36 FR 16319 - August 20, 1971) Washington County, Pennsylvania						
Change:						
Building Construction:						
Line Construction:						
Lineman	$10.02	.15	.10		.095	
Winch truck operator	7.01	.15	.10		.095	
Groundman	6.01	.15	.10		.095	
Heavy and Highway:						
Carpenters	7.46	6%	3%			
Piledrivermen	7.96	5%	6%			
DECISION #AM-1,864 - Mod. #6 (36 FR 16326 - August 20, 1971) Westmoreland County, Pennsylvania						
Change:						
Building Construction:						
Line Construction:						
Lineman	$10.02	.15	.10		.095	
Winch truck operator	7.01	.15	.10		.095	
Groundman	6.01	.15	.10		.095	
Heavy and Highway:						
Carpenters	7.46	6%	3%			
Piledrivermen	7.96	5%	6%			
DECISION #AM-5,972 - Mod. #5 (36 FR 24031 - December 17, 1971) Beaver County, Pennsylvania						
Change:						
Carpenters	7.46	6%	3%			
DECISION #AP-421 - Mod. #2 (37 FR 20447 - September 29, 1972) Allegheny County, Pennsylvania						
Change:						
Building Construction:						
Laborers:						
Blaster and wagon drill operator	$7.20	.30	.30			
Carpenters, heavy and highway	7.46	6%	3%			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-8,611 - Mod. #3 (37 FR 10324 - May 19, 1972) Hamilton County, Tennessee						
Change:						
Building and Heavy Construction:						
Power Equipment Operators:						
Group-A	$5.65	.20	.20			
Group-B	4.85	.20	.20			
Group-C	4.25	.20	.20			
Group-D	3.95	.20	.20			
DECISION #AM-8,623 - Mod. #1 (37 FR 12013 - June 16, 1972) Sullivan County, Tennessee						
Change:						
Painters, Brush	$3.25					
Soft floor layers	3.29					
Omit:						
Painters, Spray	3.13					

MODIFICATIONS P. 29

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AM-11,418 - Mod. #6 (37 FR 9163 - May 5, 1972) Cameron, Hidalgo, Starr & Willacy Counties, Texas						
Change:						
Building Construction:						
Sprinkler fitters	$8.35	.30	.50		.05	
Omit:						
Building Construction:						
Electricians:						
Cable splicers	5.50		1%		1%	
Electricians	5.25		1%		1%	
Add:						
Building Construction:						
Electricians	5.76		1%		1%	
DECISION #AP-30[illegible] - Mod. #5 (37 FR 16365 - August 11, 1972) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Parker, Rockwall, Tarrant & Wise Counties, Texas						
Change:						
Building Construction:						
Sprinkler fitters	8.35	.30	.50		.05	
DECISION #AP-312 - Mod. #6 (37 FR 16716 - August 18, 1972) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Counties, Texas						
Change:						
Building Construction:						
Sprinkler fitters	8.35	.30	.50		.05	

MODIFICATIONS P. 30

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-313 - Mod. #6 (37 FR 17361 - August 25, 1972) Lubbock County, Texas						
Change:						
Building Construction:						
Sprinkler fitters	$8.35	.30	.50		.05	
DECISION #AP-314 - Mod. #6 (37 FR 17364 - August 25, 1972) Jefferson & Orange Counties, Texas						
Change:						
Sprinkler fitters	8.35	.30	.50		.05	
DECISION #AP-315 - Mod. #6 (37 FR 17366 - August 25, 1972) Jefferson & Orange Counties, Texas						
Change:						
Sprinkler fitters	8.35	.30	.50		.05	
DECISION #AP-342 - Mod. #3 (37 FR 20485 - September 29, 1972) Nueces County, Texas						
Change:						
Building Construction:						
Marble setters	5.60				.02	
Sprinkler fitters	8.35	.30	.50		.05	
Terrazzo workers	5.60				.02	
Tile setters	5.60				.02	
DECISION #AP-343 - Mod. #3 (37 FR 20488 - September 29, 1972) Bexar County, Texas						
Change:						
Building Construction:						
Sprinkler fitters	8.35	.30	.50		.05	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-344 - Mod. #2 (37 FR 20491 - September 29, 1972) Travis County, Texas Change: Building Construction: Sprinkler fitters	$8.35	.30	.50		.05	
DECISION #AP-345 - Mod. #3 (37 FR 20494 - September 29, 1972) El Paso County, Texas Change: Building Construction: Sprinkler fitters	8.35	.30	.50		.05	
Power Equipment Operators: Fireman, Oiler; Mechanic, Grease Truck & Welder's Helper; Screedman, Pneumatic roller towed by farm type tractor or truck; Scale Operator & such as bin-a-batch; Rubber-tired farm type tractors & tractors under 35 h.p. without attachments	4.46	.20	.10		.03	
Concrete mixers 1 yard & over & batch plants 1 yard & over, single drum paving machines. Crushing plants. Drilling Machines, 6 inches & over. Front end loaders, 2 yards & over; Paving: Asphalt plants, boiler or retort heater, distributor, lay down machine, pug mill, breakdown & tandem rollers; Steam Engineer, Trenching Machines. Patrol, rough, not required to blue top or finish	5.13	.20	.10		.03	

DECISION #AP-345 (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd): Air Compressors, Power Plants, pumps & welding machines (an operating engineer will not be required for an air compressor under 315 c.f.m., a pump under three inches or a light plant generating fifteen kilowatts or less, or one welding machine, if and when there is another operating engineer employed on the job who services the units); Concrete mixers, under 1 yard, & Concrete batch plants, under 1 yard, gunnite & pumpcrete machines, mechanical bull floats, spreading & finishing machines. Screening Plants. Drilling machines, Diamond, rotary, core & cable drilling; well under 6 inches. Hoists, scoopmobiles, A frame Air tugger; building hoist, 1 drum hydrolift, Hydrocranes, winch truck. Loaders; Elevating, belt type loader, front end loader (under 2 yards) & over head loaders; forklift & lumber staker on construction job site. Grease truck operator, (Head Oiler). Motorman & Industrial Locomotive. Tractors under 35 h.p. with attachments; & farm type tractors with back, or shovel type attachments	$5.04	.20	.10		.03	
Tractor Equipment: Athey & Barber Green Loader, Bulldozer, DW10, DW20, DW21, Dumor, Elevating grader; Euclid, Highlander, Scraper, Traxcavator, Turnapull, Turnarocker & Tractors 35 h.p. and up	5.18	.20	.10		.03	

MODIFICATIONS P. 33

DECISION #AP-345 (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Power Equipment Operators (Cont'd):						
Concrete Paving machines, double drum. Catcranes, Hysters, Cherry Picker, Attachment cranes, side & swing boom tractors, Building hoist, 2 drum and up. Mechanic. Welder. Patrol, finish	$5.26	.20	.10		.03	
Shovel, Backhoe, clam & dragline 3/4 yards & under; Cranes 25 tons & under	5.50	.20	.10		.03	
Guy & stiff leg derrick, Piledrivers; Crawler or skid rig. Shovel, Backhoe, clam & dragline over 3/4 yards; Cranes over 25 tons	5.66	.20	.10		.03	
Shaft and Tunnel Operations:						
Refrigeration, slusher, Jumbo form operators	5.13	.20	.10		.03	
Mucking machines	5.36	.20	.10		.03	
Mine Hoists	5.66	.20	.10		.03	
DECISION #AP-349 - Mod. #3 (37 FR 20503 - September 29, 1972) Galveston County, Texas						
Change:						
Building Construction: Sprinkler fitters	8.35	.30	.50		.05	
DECISION #AP-350 - Mod. #3 (37 FR 20506 - September 29, 1972) Harris County, Texas						
Change:						
Building Construction: Sprinkler fitters	8.35	.30	.50		.05	

MODIFICATIONS P. 34

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AP-209 - Mod. #2 (37 FR 15834 - August 4, 1972) Statewide, Utah						
Change:						
Ironworkers:						
Ornamental (including fence erection); Reinforcing and Structural	$7.08	.40	.65		.05	
Laborers Schedule(within 45 road miles of the county seats) - See Modifications Ps. 35 & 36.						
Laborers Schedule(beyond 45 road miles of the county seats) - See Modifications Ps. 37 & 38.						
Power Equipment Operators:						
Steel Erection Schedule - See Modifications P. 39.						
Piledriving Schedule - See Modifications P. 40.						
Area 1 Schedule - See Modifications Ps. 41 - 44.						
Area 2 Schedule - See Modifications Ps. 45 - 48.						
Truck Drivers:						
Area 1 Schedule - See Modifications Ps. 49 & 50.						
Area 2 Schedule - See Modifications Ps. 51 & 52.						
DECISION #AM-6,705 - Mod #2 (37 FR 5188 - March 10, 1972) Adams, Asotin, Benton, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla and Whitman Counties, Washington						
Change:						
Carpenters:						
Carpenters	6.84	.45	.40		.025	
Piledriver; Floor Layers; Floor Finishers; Floor Sanders; Saw Filers; Stationary Power Woodworking Tool Operator	6.99	.45	.40		.025	
Shingler (wood or composition)	7.04	.45	.40		.025	
Millwrights; Boom Men; Machine Erector; Carpenters (creosoted material)	7.09	.45	.40		.025	
Piledriver (creosoted material)	7.24	.45	.40		.025	

MODIFICATIONS P. 35

DECISION #AP-209 (cont'd.) UTAH-1-LAB-1-2-3-f (1-2)

LABORERS That area in the State of Utah within 45 road miles of the county seats excluding Daggett County:	Basic Hourly Rates	Fringe Benefits Per Hour			
		H & W	Pensions	Vacation	Sup. Tr.
GROUP I					
BOXMAN; Carpenter Tender; Cement Finisher Helper; Chat Boxman; Choker Setter; Clearing & Grading; Cleaning of Equipment & Parts in connection with concrete; Concrete Crew; Dockhand & Cleaning Man; Fence Erector & Installer (includes installation & Erection of Fences, Guard Rails, Median Rails, Reference Post, Guide Post, & Right-of-Way Markers); Flagman; Form Stripper; Gardener Helper; General Laborer; Grizzley Operator (whether by power or hand); Group Pump Operator; Heater Tender; Helpers (all not herein separately classified); House Movers; Landscaping Helper; Laborers on Wrecking & Demolition; Nurseryman Helper; Prewaterman; Riprap man (hand placed); Sloper, Spreader & Weighman; Stake Jumper; Stripping & Cleaning of Steel & Pans; Tool Dispatcher & Checker (full time); Unloading & packing of reinforcing steel rods & mesh	$5.055	.25	.25	.15	.04
GROUP II					
AIR TRACK HELPER; Asphalt rakers & Ironers; Dumpman; Gunnite Reboundman; Metal Form Setter (airport paving & highway); Pipe Wrapper; Pot Tender & Joint Maker; Rollers; Screen & Clean-up Man; Signal & Dumpman on Concrete Construction; Tunnel & Belt Man	5.18	.25	.25	.15	.04
GROUP III					
BARKO VIBRATORY ROLLER & similar type, Compacting Machines; Concrete Cutting Torch; Hand & Chain Saw Operator (Bucking & Falling Timbers); High Pressure Water Nozzleman; J Tampers & similar type tampers; Jackhammer & Pavement Breaker; Mortar & Grout Mixer; Multi-plate Installer; Operators of pneumatic & electric tools & compressors & Concrete Saw; Operators of Power-Type Form Cleaner & Oiling Machine; Pipelayer; Powderman Helper;					

MODIFICATIONS P. 36

DECISION #AP-209 (cont'd) UTAH-1-LAB-1-2-3-f (2-2)

	Basic Hourly Rates	Fringe Benefits Per Hour			
		H & W	Pensions	Vacation	Sup. Tr.
LABORERS (cont'd)					
Power Type Buggies; Pumpcrete Operators; Refinery Tank & Vessel Cleaners; Sand Blasters; Sandblaster Pot Tender; Vibrator Operator; Work of all type using Cutting Torches & Tools needed in wrecking	5.305	.25	.25	.15	.04
GROUP IV					
AIR TRACK & CORE DIAMOND DRILLERS: Drill Mechanic (on job site); High Scaler operating Jackhammer or Breaker; Mailn Vibrators & Similar Types - 70 lbs; Multiple Side Boom Driller; Wagon Driller	5.43	.25	.25	.15	.04
GROUP V					
GUNNITE GROUNDMAN; Gunnite Nozzleman; Gunnite Rodman; Powderman	5.78	.25	.25	.15	.04
TUNNEL AND SHAFT WORK:					
GROUP I					
Underground Laborers	5.18	.25	.25	.15	.04
GROUP II					
Brakeman; Chucktender; Dumpman; Powderman Helper; Puddler	5.28	.25	.25	.15	.04
GROUP III					
Nipper; Screedman; Vibrator; Tapman	5.38	.25	.25	.15	.04
GROUP IV					
Cutting Machine Operator; Drill Doctor; Finisher; Gunnite Gunman; Miners; Powder Make-up Man; Spader & Tuggers; Steelman; Timberman	5.48	.25	.25	.15	.04
GROUP V					
Gunnite Groundman; Gunnite Nozzleman; Gunnite Rodman	5.78	.25	.25	.15	.04

MODIFICATIONS P. 37

DECISION #AP-209 (cont'd)

UTAH-2-LAB-1-2-3-h (1-2)

LABORERS
That area in the State of Utah beyond 45 road miles of the county seats and all of Daggett County:

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Apr. Tr.
GROUP I					
BOXMAN; Carpenter Tender; Cement Finisher Helper; Chat Boxman; Choker Setter; Clearing & Grading; Cleaning of Equipment & Parts in connection with concrete; Concrete Crew; Dockhand & Cleaning Man; Fence Erector & Installer (includes installation & Erection of Fences, Guard Rails, Median Rails, Reference Post, Guide Post, & Right-of-Way Markers); Flagman; Form Stripper; Gardener Helper; General Laborer; Grizzley Operator (whether by power or hand); Group Pump Operator; Heater Tender; Helpers (all not herein separately classified); House Movers; Landscaping Helper; Laborers on Wrecking & Demolition; Nurseryman Helper; Prewaterman; Riprap man (hand placed); Sloper, Spreader & Weighman; Stake Jumper; Stripping & Cleaning of Steel & Pipe; Tool Dispatcher & Checker (full time); Unloading & packing of reinforcing steel rods & mesh	$5.805	.25	.25	.15	.04
GROUP II					
AIR TRACK HELPER: Asphalt rakers & Ironers; Dumpman; Gunnite Reboundman; Metal Form Setter (airport paving & highway); Pipe Wrapper; Pot Tender & Joint Makers; Rollers; Screen & Clean-up Man; Signal & Dumpman on Concrete Construction; Tunnel & Belt Man	5.93	.25	.25	.15	.04
GROUP III					
BARKO VIBRATORY ROLLER & similar type, Compacting Machines; Concrete Cutting Torch; Hand & Chain Saw Operator (Bucking & Falling Timbers); High Pressure Water Nozzleman; J Tampers & similar type tampers; Jackhammer & Pavement Breaker; Mortar & Grout Mixer; Multi-plate Installer; Operators of pneumatic & electric tools & compressors & Concrete Saw; Operators of Power-Type Form Cleaner & Oiling Machine; Pipelayer; Powderman Helper;					

DECISION #AP-209 (cont'd). MODIFICATIONS P. 38

LABORERS (Cont'd)
That area in the State of Utah beyond 45 road miles of the county seats and all of Daggett County:

UTAH-2-LAB-1-2-3-h (2-2)

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Apr. Tr.
Power Type Buggies; Pumperete Operators; Refinery Tank & Vessel Cleaners; Sand Blasters; Sandblaster Pot Tender; Vibrator Operator; Work of all type using Cutting Torches & Tools needed in wrecking	$6.055	.25	.25	.15	.04
GROUP IV					
AIR TRACK & CORE DIAMOND DRILLERS; Drill Mechanic (on job site); High Scaler operating Jackhammer or Breaker; Mailn Vibrators & Similar Types - 70 lbs; Multiple Side Boom Driller; Wagon Driller	6.18	.25	.25	.15	.04
GROUP V					
GUNNITE GROUNDMAN; Gunnite Nozzleman; Gunnite Rodman; Powderman	6.53	.25	.25	.15	.04
TUNNEL AND SHAFT WORK:					
GROUP I					
Underground Laborers	5.98	.25	.25	.15	.04
GROUP II					
Brakeman; Chucktender; Dumpman; Powderman Helper; Puddler	6.03	.25	.25	.15	.04
GROUP III					
Nipper; Screedman; Vibrator; Tapman	6.13	.25	.25	.15	.04
GROUP IV					
Cutting Machine Operator; Drill Doctor Finisher; Gunnite Gunman; Miners; Powder Make-up Man; Spader & Tuggers; Steelman; Timberman	6.23	.25	.25	.15	.04
GROUP V					
Gunnite Groundman; Gunnite Nozzleman; Gunnite Rodman	6.53	.25	.25	.15	.04

DECISION #AP-209 (cont'd) MODIFICATIONS P. 39

STEEL ERECTION	Basic Hourly Rates	Fringe Benefits Payments			
		H.&W.	Pension	Vacation	Apr. Fd.
GROUP 1 Assistant to Engineer (Oiler)	$ 7.05	.57	.725	.30	.10
GROUP 2 Assistant to Engineer (Truck Crane Oiler); Compressor; Generator, gasoline or diesel driven (100 KW)	7.36	.57	.725	.30	.10
GROUP 3 Compressors, Generators &/or Welding Machines or Combination (2 to 6); Deck Engineer; Instrument Man; Signalman (using mechanical equipment); Fork Lift	8.17	.57	.725	.30	.10
GROUP 4 Heavy Duty Repairman; Tractor Op.	8.29	.57	.725	.30	.10
GROUP 4-A Combination Heavy Duty Repairman; Welder	8.52	.57	.725	.30	.10
GROUP 5 "A" Frame or Boom Truck; Boom Cat; Chicago Boom; Crawler Cranes & Truck Cranes (15 tons m.r.c. or less) Self-propelled Boom Type lifting Device; Single Drum Hoist; Tugger Hoist; Chief of Party	8.91	.57	.725	.30	.10
GROUP 6 Crawler Cranes & Truck Cranes (over 15 tons m.r.c.); Derricks (2 ops. required when swing engine remote from hoist); Highline Cableway (Signalman required); Tower Cranes Mobile; Universal Liebher & Tower Cranes (& similar types) (In the erection, dismantling & moving of equipment, there shall be an additional Operating Engineer); Two or more Drum Hoist	9.24	.57	.725	.30	.10
GROUP 7 Operator of Helicopter	10.49	.57	.725	.30	.10

DECISION #AP-209 (cont'd) MODIFICATIONS P. 40

PILEDRIVING	Basic Hourly Rates	Fringe Benefits Payments			
		H.&W.	Pension	Vacation	Apr. Fd.
GROUP 1 (a) Assistant to Engineer (Fireman, Oiler, Deckhand	6.69	.57	.725	.30	.10
(b) Compressor Operator (Electrically, gas or diesel powered, etc.)	6.96	.57	.725	.30	.10
(c) Truck Crane Oiler	7.08	.57	.725	.30	.10
GROUP 2 (a) Operator of Tugger Hoist (Hoisting materials only)	7.59	.57	.725	.30	.10
(b) Compressor Operator (2 to 6) (Electrically, gas or diesel powered); Generator Op. (electrically, gas or diesel driven, 100 K.W.); Pump Op. (2 to 6); Welding Machine Op. (2 to 6) (Gas or diesel powered)	7.76	.57	.725	.30	.10
GROUP 3 "A" Frames; Deck Engineer; Fork Lift Operator; Self propelled Boom Type Lifting Device	8.00	.57	.725	.30	.10
GROUP 3-A Heavy Duty Repairman and/or Welder	8.31	.57	.725	.30	.10
GROUP 4 Operating Engineer in lieu of assistant to engineer tending boiler or compressor attached to crane piledriver; Operator of Piledriving Rigs, Skid or Floating & Derrick Barges; Operator of Diesel or gasoline powered Crane Piledriver (w/o boiler) up to & incl. 1 cu. yd. rating; Truck Crane Op. (up to & incl. 25 tons) (hoisting material only) (Assistant to engineer required)(not driving piles)	8.76	.57	.725	.30	.10
GROUP 5 Operator of diesel or gasoline powered Crane Piledriver (w/o boiler) over 1 cu. yd. rating; Operator of Crane (w/ steam, flash boiler, pump or compressor attached); Op. of steam powered crawler or Universal Type Driver (Raymond or similar type); Truck Crane Op. (over 25 tons (Hoisting material or performing piledriving work)	8.88	.57	.725	.30	.10

DECISION #AP-209 (cont'd)

MODIFICATIONS P. 41

UTAH-1-PEO-1-2-3-g (1-4)

POWER EQUIPMENT OPERATORS	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
GROUP I						
CHAINMAN; Rodman	$ 6.01	.57	.725	.30	.10	
GROUP II						
ASPHALT PLANT FIREMAN; Brakeman-Locomotive; Elevator Operator; Fireman; Hydraulic Monitor; Material Loader or Conveyor Operator; Partsman - Field; Grade Setter - Repairman Helper - Field	6.26	.57	.725	.30	.10	
GROUP III						
AIR COMPRESSOR OPERATOR: Concrete Mixer Operator (skip type); Concrete Pump or Pumpcrete Gun Operator; Engineer, Dinkey Operator; Generator (100 KW or over); Mixer Box Operator (Concrete or Asphalt Plant) (continuous mix or similar); Pump Operator; Self-propelled, Automatically applied concrete curing machine (on streets, highways, airports and canals); Screedman; Truck Crane Oiler	6.58	.57	.725	.30	.10	
GROUP IV						
BALLAST JACK TAMPER; Ballast Regulator Ballast Tamper-Multiple Purpose; Front End Loader up to and including 1 c.y. Struck MRC; Hoist Operator 1 Drum; Line Master; Lubrication & Service Engineer (Mobile & Grease Rack); Slip Form Pumps	6.74	.57	.725	.30	.10	
GROUP V						
AIR COMPRESSOR OPERATOR (two or more Compressors); Batch Operator (Asphalt Plant); Motorman; Pavement Breaker Operator (Gusco & similar type); Signalman; Shuttlecar; Small Rubber Tired Tractors; Small Self-propelled Pneumatic Rollers; Towermobile Operator; Welding Machine (2 or more)	6.84	.57	.725	.30	.10	

DECISION #AP-209 (cont'd)

MODIFICATIONS P. 42

UTAH-1-PEO-1-2-3-g (2-4)

POWER EQUIPMENT OPERATORS (cont'd)	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
GROUP VI					
A-FRAME TRUCK & Tugger Hoist; Concrete Saws (Self-propelled unit on streets, highways, airports and canals); Engineer, Locomotive; Fork lift (construction job site); Kolman Loader (and similar); Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mixermobile Operator; Pipe Bending Machine Operator; Pipe Cleaning Machine; Pipe Wrapping Machine; Road Mixing Machine Operator; Ross Carrier, or similar type; Small Rubber Tired Tractor (with attachments, including backhoe); Small Tractor with Boom; Surface Heater (self-propelled); Loader Operator (over 1 c.y. up to and including 2 c.y. struck MRC); Power Jumbo Operator (setting slip forms, etc. in tunnels); Small Rubber Tired Trenching Machine	$ 7.25	.57	.725	.30	.10
GROUP VII					
BRIDGE CRANE; Chip Box Spreader (flaherty type and similar); Concrete Mixer Operator (paving or batch plant); Deck Engineers (Marine); Drilling Machine Operator (well or diamond); Dual Drum Mixers; Elevating Grader Opr.; Fuller Kenyon Pump and similar types; Heavy Duty Rotary Drill Rigs (such as quarry master, joy drills or equal; Hoist Operator - 2 drums; Instrument Man; Mechanical Finisher Operator (Asphalt or concrete); Mine or Shaft Hoist; Pavement Breaker (Pavement Breaker with compressor combination); Pavement Breaker, Truck mounted, compressor combination; Refrigeration Plant; Self-Propelled Pipeline, Wrapping Machine (Perault, CRC, or similar types); Slusher Operator; Tractor Operator (Sheep's foot and compacting equipment); Trenching Machine; Tractor-Compressor Drill Combination; No-Joint Pipe Laying Machine; Lull High-Lift (40 ft. or similar); Roller Operator or self-propelled compactor	7.38	.57	.725	.30	.10

DECISION #AP-209 (cont'd) MODIFICATIONS P. 43

UTAH-1-PEO-1-2-3-g (3-4)

POWER EQUIPMENT OPERATORS (Cont'd)	HOURLY RATES	FRINGE BENEFITS: H & W	PENSIONS	VACATION	APPR. TR.
GROUP VII-A					
HIGH HOIST OPERATOR; Asphalt Plant Operator; Engineer Operator Plant; Tractor Operator (Bulldozer, Scraper or drag-type shovel or boom attachment) (up to and including D-7 or similar)	$ 7.48	.57	.725	.30	.10
GROUP VIII					
DO-MOR LOADER and Adams Elegrader; Euclid Loader and similar types; Chicago Boom (Including Stiff Leg and Sheer Pole); Chief of Party; Combination Slusher and Motor Operator; Concrete Batch Plant (Multiple unit); Koehring Skooper (or similar, up to 5 c.y. Struck MRC); Loader Operator over 2 c.y. up to and including 5 c.y. Struck MRC; Mucking Machine Operator; Saurman Type Dragline (under 5 c.y. Struck MRC); Self-Propelled Elevating Grade Plane; Soil Stabilizer (P & H or equal); Subgrader (automatic subgrader - fine - grader); Self-Propelled Boom Type lifting device; Mechanical Trench Shield; Rubber Tired Scraper (under 35 c.y. Struck MRC); Tri-Batch Paver; Tunnel (Mole or similar)	7.75	.57	.725	.30	.10
GROUP VIII-A					
HEAVY DUTY REPAIRMAN or Welder; Tractor Operator Bulldozer, Scraper or Drag Type Shovel or Boom Attachment Larger than D-7 or similar	7.80	.57	.725	.30	.10
GROUP IX					
COMBINATION MIXER & Compressor (Gunite); Highline Cableway Signalman; Motor Patrol; Tower Crane (Linden type or similar designs and capacity) (in the erection, dismantling & moving of equipment there shall be additional Operator Engineer)	7.85	.57	.725	.30	.10

DECISION #AP-209 (cont'd) MODIFICATIONS P. 44

UTAH-1-PEO-1-2-3-g (4-4)

POWER EQUIPMENT OPERATORS (Cont'd)	HOURLY RATES	FRINGE BENEFITS: H & W	PENSIONS	VACATION	APPR. TR.	[illegible]
GROUP X						
HIGH CABLEWAY OPERATOR (Signalman required); Lift Slab Machine (Vagborg & similar types); Locomotive (over 100 tons) (single or multiple units); Pre-Stress Wire Wrapping Machine; Saurman type dragline (5 c.y. Struck MRC and over; Tractor Tandem Scrapers; DW 10.20 etc. (Tandem Scraper); Universal Equipment Operator (shovel, backhoe, dragline, derrick, derrick barge, clamshell crane, gradall, etc. (up to and including 5 c.y.) Struck MRC; Loader (over 5 c.y. up to and including 12 c.y. Struck MRC)	$ 8.00	.57	.725	.30	.10	
GROUP XI						
AUTOMATIC CONCRETE SLIP FORM PAVER (Gradesetter, Screedman); Koehring Skooper (or similar) (5 cu. yds. & over Struck MRC); Multiple Propulsion Power Unit Earth Movers (up to and including 75 c.y. Struck MRC); Remote Controlled Cranes and Derricks; Power Equipment with shovel-type controls (over 5 cu. yds. up to and including 7 cu. yds. Struck MRC; Rubber Tired Scraper (35 cu. yds. and over Struck MRC); Self-Propelled Compactor (with multiple propulsion power units); Slip Form Paver (Concrete or asphalt) (1 operator and 2 screedman when required); Tandem Tractors; Tower Cranes Mobile	8.39	.57	.725	.30	.10	
GROUP XI-A						
MULTI-PURPOSE EARTH MOVING MACHINES: (Two (2) or more scrapers (over 75 c.y. Struck MRC); Power Shovels & Draglines (over 7 c.y. Struck MRC; Loader over 12 c.y. Struck MRC)	9.25	.57	.725	.30	.10	
GROUP XI-B						
OPERATOR OF HELICOPTER (when used in erection work)	9.65	.57	.725	.30	.10	

DECISION #AP-209 (cont'd) MODIFICATIONS P. 45 UTAH-2-PEO-1-2-3-g

Area 2**					
GROUP I					
CHAINMAN; Fireman	$ 7.01	.57	.725	.30	.10
GROUP II					
ASPHALT PLANT FIREMAN; Brakeman-Locomotive; Elevator Operator; Fireman; Hydraulic Monitor; Material Loader or Conveyor Operator; Partsman - Field; Grade Setter - Repairman Helper - Field	7.26	.57	.725	.30	.10
GROUP III					
AIR COMPRESSOR OPERATOR: Concrete Mixer Operator (skip type); Concrete Pump or Pumpcrete Gun Operator; Engineer, Dinkey Operator; Generator (100 KW or over); Mixer Box Operator (Concrete or Asphalt Plant) (continuous mix or similar); Pump Operator; Self-propelled, Automatically applied concrete c[illegible]ing machine (on streets, highways, airports and canals); Screedman; Truck Crane Oiler	7.58	.57	.725	.30	.10
GROUP IV					
BALLAST JACK TAMPER; Ballast Regulator Ballast Tamper-Multiple Purpose; Front End Loader up to and including 1 c.y. Struck MRC; Hoist Operator 1 Drum; Line Master; Lubrication & Service Engineer (Mobile & Grease Rack); Slip Form Pumps	7.74	.57	.725	.30	.10
GROUP V					
AIR COMPRESSOR OPERATOR (two or more Compressors); Batch Operator (Asphalt Plant); Motorman; Pavement Breaker Operator (Emsco & similar type); Signalman; Shuttlecar; Small Rubber Tired Tractors; Small Self-propelled Pneumatic Rollers; Towermobile Operator; Welding Machine (2 or more)	7.84	.57	.725	.30	.10

MODIFICATIONS P. 46 UTAH-2-PEO-1-2-3-g (2-4)

DECISION #AP-209 (cont'd)

POWER EQUIPMENT OPERATORS (Cont'd)

GROUP VI					
A-[illegible] TRUCK & Tugger Hoist; Concrete Saws (Self Propelled unit on streets, highways, airports and canals); Engineer, Locomotive; Fork lift (construction job site); Koiman Loader (and similar); Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mixermobile Operator; Pipe Bending Machine Operator; Pipe Cleaning Machine; Pipe Wrapping Machine; Road Mixing Machine Operator; Ross Carrier, or similar type; Small Rubber Tired Tractor (with attachments, including backhoe); Small Tractor with Boom; Surface Heater (self-propelled); Loader Operator (over 1 c.y. up to and including 2 c.y. struck MRC); Power Jumbo Operator (setting slip forms, etc. in tunnels); Small Rubber Tired Trenching Machine	$ 8.25	.57	.725	.30	.10
GROUP VII					
BRIDGE CRANE; Chip Box Spreader (flaherty type and similar); Concrete Mixer Operator (paving or batch plant); Deck Engineers (Marine); Drilling Machine Operator (well or diamond); Dual Drum Mixers; Elevating Grader Opr.; Fuller Kenyon Pump and similar types; Heavy Duty Rotary Drill Rigs (such as quarry master, joy drills or equal; Hoist Operator - 2 drums; Instrument Man; Mechanical Finisher Operator (Asphalt or concrete); Mine or Shaft Hoist; Pavement Breaker (Pavement Breaker with compressor combination); Pavement Breaker, Truck mounted, compressor combination; Refrigeration Plant; Self-Propelled Pipeline, Wrapping Machine (Perault, CRC, or similar types); Slusher Operator; Tractor Operator (Sheep's foot and compacting equipment); Trenching Machine; Tractor-Compressor Drill Combination; No-Joint Pipe Laying Machine; Lull High-Lift (40 ft. or similar); Roller Operator or self-propelled compactor	8.38	.57	.725	.30	.10

DECISION #AP-209 (cont'd) MODIFICATIONS P. 47

UTAH-2-PEO-1-2-3-g (3-4)

POWER EQUIPMENT OPERATORS (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.
GROUP VII-A					
SIDE BOOM OPERATOR; Asphalt Plant Engineer; Engineer Crushing Plant; Tractor Operator (Bulldozer, Scraper or drag-type shovel or boom attachment) (up to and including D-7 or similar)	$ 8.48	.57	.725	.30	.10
GROUP VIII					
DO-MOR LOADER and Adams Elegrader; Euclid Loader and similar types; Chicago Boom (Including Stiff Leg and Sheer Pole); Chief of Party; Combination Slusher and Motor Operator; Concrete Batch Plant (Multiple unit); Koehring Skooper (or similar, up to 5 c.y. Struck MRC); Loader Operator over 2 c.y. up to and including 5 c.y. Struck MRC; Mucking Machine Operator; Saurman Type Dragline (under 5 c.y. Struck MRC); Self-Propelled Elevating Grade Plane, Soil Stabilizer (P & H or equal); Subgrader (automatic subgrader - fine - grader); Self-Propelled Boom Type lifting device; Mechanical Trench Shield; Rubber Tired Scraper (under 35 c.y. Struck MRC); Tri-Batch Paver; Tunnel (Mole or similar)	8.75	.57	.725	.30	.10
GROUP VIII-A					
HEAVY DUTY REPAIRMAN or Welder; Tractor Operator, Bulldozer, Scraper or Drag Type Shovel or Boom Attachment Larger than D-7 or similar	8.80	.57	.725	.30	.10
GROUP IX					
COMBINATION MIXER & Compressor (Gunite) Highline Cableway Signalman; Motor Patrol; Tower Crane (Linden type or similar designs and capacity) (in the erection, dismantling & moving of equipment there shall be additional Operator Engineer)	8.85	.57	.725	.30	.10

DECISION #AP-209 (cont'd) MODIFICATIONS P. 48

UTAH-2-PEO-1-2-3-g (4-4)

POWER EQUIPMENT OPERATORS (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.
GROUP X					
HIGH CABLEWAY OPERATOR (Signalman required); Lift Slab Machine (Vagborg & similar types); Locomotive (over 100 tons) (single or multiple units); Pre-Stress wire Wrapping Machine; Saurman type dragline (5 c.y. Struck MRC and over; Tractor Tandem Scrapers; DW 10.20 etc. (Tandem Scraper); Universal Equipment Operator (shovel, backhoe, dragline, derrick, derrick barge, clamshell crane, gradall, etc. (up to and including 5 c.y.) Struck MRC; Loader (over 5 c.y. up to and including 12 c.y. Struck MRC)	$ 9.00	.57	.725	.30	.10
GROUP XI					
AUTOMATIC CONCRETE SLIP FORM PAVER (Gradesetter, Screedman); Koehring Skooper (or similar) (5 cu. yds. & over Struck MRC); Multiple Propulsion Power Unit Earth Movers (up to and including 75 c.y. Struck MRC); Remote Controlled Cranes and Derricks; Power Equipment with shovel-type controls (over 5 cu. yds. up to and including 7 cu. yds. Struck MRC; Rubber Tired Scraper (35 cu. yds. and over Struck MRC); Self-Propelled Compactor (with multiple propulsion power units); Slip Form Paver (Concrete or asphalt) (1 operator and 2 screedman when required); Tandem Tractors; Tower Cranes Mobile	9.39	.57	.725	.30	.10
GROUP XI-A					
MULTI-PURPOSE EARTH MOVING MACHINES: (Two (2) or more scrapers (over 75 c.y. Struck MRC); Power Shovels & Draglines (over 7 c.y. Struck MRC; Loader over 12 c.y. Struck MRC)	10.25	.57	.725	.30	.10
GROUP XI-B					
OPERATOR OF HELICOPTER (when used in erection work)	10.65	.57	.725	.30	.10

DECISION #AP-209 (cont'd)

MODIFICATIONS P. 49

UTAH-1-TD-1-2-3-h (1-2)

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
DUMP TRUCKS - Water Level Capacity (Bottom and or side) (including Dumpster Trucks, Euclid Type Trucks, Turnwagons, Turnarockers & Dump-crete)					
Less than 8 yards	$6.50	.40	.30	.30	
8 yards & less than 14 yards	6.65	.40	.30	.30	
14 yards & less than 35 yards	6.80	.40	.30	.30	
35 yards & less than 55 yards	7.00	.40	.30	.30	
55 yards & less than 75 yards	7.20	.40	.30	.30	
75 yards & less than 95 yards	7.40	.40	.30	.30	
95 yards & less than 105 yards	7.60	.40	.30	.30	
Over 105 yards	7.72	.40	.30	.30	
Whenever doubles are used, the drivers will be paid under the appropriate yardage schedule as outlined plus 25¢ per hour.					
When three (3) or more trailers are put into operation, use the appropriate yardage rate as outlined above plus 25¢ per hour for the third (3rd) and each additional trailer which is pulled by one power unit.					
Whenever additional power units are used and operated by one driver, he shall receive an additional 50¢ per hour for operating such equipment.					
FLAT RACK TRUCKS, Bulk Cement Trucks, Transport Trucks, Semi-Trailer, (Carrying capacity):					
Pickup	6.225	.40	.30	.30	
Less than 10 tons	6.40	.40	.30	.30	
10 tons & less than 15 tons	6.55	.40	.30	.30	
15 tons & less than 20 tons	6.65	.40	.30	.30	
20 tons & over	6.80	.40	.30	.30	
Employees driving any of the above on Flat Rack Trucks with Winch, Hoist Attachments or "A" Frames shall receive $.125 additional per hour when such winch hoist or "A" Frames are in use.					
When drivers load and unload sack cement, explosives and/or railroad ties by hand they shall receive $.15 per hour additional for actual hours worked.					

MODIFICATIONS P. 50

DECISION #AP-209 (cont'd)

UTAH-1-TD-1-2-3-h (2-2)

TRUCK DRIVERS (cont'd)	[illegible] RATES	[illegible]	[illegible]	[illegible]	[illegible]
[illegible] TRUCKS:					
4 1/2 yards capacity & less	$6.52	.40	.30	.30	
Over 4 1/2 yards capacity to & including 6 1/2 yards	6.625	.40	.30	.30	
Over 6 1/2 yards	6.725	.40	.30	.30	
Concrete pumping trucks	6.725	.40	.30	.30	
WATER, FUEL & OIL TANK TRUCKS:					
0 to 1200 gallons	6.375	.40	.30	.30	
1200 to 2500 gallons	6.50	.40	.30	.30	
2500 to 4000 gallons	6.65	.40	.30	.30	
4000 to 6000 gallons	6.95	.40	.30	.30	
6000 gallons to less than 10,000	7.20	.40	.30	.30	
10,000 gallons to less than 15,000 gallons	7.45	.40	.30	.30	
15,000 gallons to less than 20,000 gallons	7.70	.40	.30	.30	
20,000 gallons to less than 25,000 gallons	7.95	.40	.30	.30	
Over 25,000 gallons	8.20	.40	.30	.30	
Whenever two water tanks are pulled, driver will receive 25¢ per hour in addition to the combined water gallonage rates.					
Oil Spreader Operator (on single man operation where boot man is not required)	7.20	.40	.30	.30	
CONSTRUCTION JOB SERVICEMEN:					
Telescopic Manlift Truck	6.70	.40	.30	.30	
Fork Lift (under 6 tons) & Straddle Truck	6.70	.40	.30	.30	
Truck Driver Helper	6.275	.40	.30	.30	
Chauffeurs	6.275	.40	.30	.30	
Bunker & Truck Loaders	6.40	.40	.30	.30	
Warehousemen (Counter Clerk)	6.45	.40	.30	.30	
Warehousemen	6.32	.40	.30	.30	
Washers, Greasers & Tiremen	6.475	.40	.30	.30	
Gas Station Attendants	6.275	.40	.30	.30	
Fork Lift (Over 6 tons)	6.80	.40	.30	.30	
Material Engineer.	6.62	.40	.30	.30	
Teamster Mechanic	7.51	.40	.30	.30	
Teamster Mechanic Helper	7.26	.40	.30	.30	
Teamster Welder	7.51	.40	.30	.30	
Teamster Driving Two Horses	7.275	.40	.30	.30	
Teamster Driving Three or More Horses	7.375	.40	.30	.30	

MODIFICATIONS P. 51

DECISION #AP-209 (cont'd)

UTAH-2-TD-1-2-3-h (1-2)

TRUCK DRIVERS
AREA #2

	BASIC RATE	H.&W.	PENSION	VACATION	LABOR FUND
Dump Truck - Other Level Capacity (Bottom end or side) (including Dump Trucks, Build Type Trucks, Transwagons, Transwheels & Transcrete)					
Less than 8 yards	$7.50	.40	.30	.30	
8 yards & less than 14 yards	7.65	.40	.30	.30	
14 yards & less than 35 yards	7.80	.40	.30	.30	
35 yards & less than 55 yards	8.00	.40	.30	.30	
55 yards & less than 75 yards	8.20	.40	.30	.30	
75 yards & less than 95 yards	7.40	.40	.30	.30	
95 yards & less than 105 yards	8.60	.40	.30	.30	
Over 105 yards	8.72	.40	.30	.30	

Whenever doubles are used, the drivers will be paid under the appropriate yardage schedule as outlined plus 25¢ per hour.

When three (3) or more trailers are put into operation, use the appropriate yardage rate as outlined above plus 25¢ per hour for the third (3rd) and each additional trailer which is pulled by one power unit.

Whenever additional power units are used and operated by one driver, he shall receive an additional 50¢ per hour for operating such equipment.

	BASIC RATE	H.&W.	PENSION	VACATION	LABOR FUND
FLAT RACK TRUCKS, Bulk Cement Trucks, Transport Trucks, Semi-Trailer, (Carrying capacity):					
Pickup	7.375	.40	.30	.30	
Less than 10 tons	7.40	.40	.30	.30	
10 tons & less than 15 tons	7.55	.40	.30	.30	
15 tons & less than 20 tons	7.65	.40	.30	.30	
20 tons & over	7.80	.40	.30	.30	

Employees driving any of the above on Flat Rack Trucks with Winch, Hoist Attachments or "A" Frames shall receive $.125 additional per hour when such winch hoist or "A" Frames are in use.

When drivers load and unload sack cement, explosives and/or railroad ties by hand they shall receive $.15 per hour additional for actual hours worked.

MODIFICATIONS P. 52

DECISION #AP-209 (cont'd)

UTAH-2-TD-1-2-3-h (2-2)

TRUCK DRIVERS (Cont'd)	BASIC RATE	H.&W.	PENSION	VACATION	LABOR FUND
TRUCKS MIX CONCRETE:					
4 1/2 yards capacity & less	$7.525	.40	.30	.30	
Over 4 1/2 yards capacity to & including 6 1/2 yards	7.625	.40	.30	.30	
Over 6 1/2 yards	7.725	.40	.30	.30	
Concrete pumping trucks	7.725	.40	.30	.30	
WATER, FUEL & OIL TANK TRUCKS:					
0 to 1200 gallons	7.375	.40	.30	.30	
1200 to 2500 gallons	7.50	.40	.30	.30	
2500 to 4000 gallons	7.65	.40	.30	.30	
4000 to 6000 gallons	7.95	.40	.30	.30	
6000 gallons to less than 10,000	8.20	.40	.30	.30	
10,000 gallons to less than 15,000 gallons	8.45	.40	.30	.30	
15,000 gallons to less than 20,000 gallons	8.70	.40	.30	.30	
20,000 gallons to less than 25,000 gallons	8.95	.40	.30	.30	
Over 25,000 gallons	9.20	.40	.30	.30	

Whenever two water tanks are pulled, driver will receive 25¢ per hour in addition to the combined water gallonage rates.

	BASIC RATE	H.&W.	PENSION	VACATION	LABOR FUND
Oil Spreader Operator (on single man operation where boot man is not required)	8.20	.40	.30	.30	
CONSTRUCTION JOB SERVICEMEN:					
Telescopic Manlift Truck	7.70	.40	.30	.30	
Fork Lift (under 6 tons) & Straddle Truck	7.70	.40	.30	.30	
Truck Driver Helper	7.275	.40	.30	.30	
Chauffeurs	7.275	.40	.30	.30	
Bunker & Truck Loaders	7.40	.40	.30	.30	
Warehousemen (Counter Clerk)	7.45	.40	.30	.30	
Warehousemen	7.375	.49	.30	.30	
Washers, Greasers & Tiremen	7.475	.40	.30	.30	
Gas Station Attendants	7.275	.40	.30	.30	
Fork Lift (Over 6 tons)	7.80	.40	.30	.30	
Material Engineer	7.62	.40	.30	.30	
Teamster Mechanic	8.51	.40	.30	.30	
Teamster Mechanic Helper	8.26	.40	.30	.30	
Teamster Welder	8.51	.40	.30	.30	
Teamster Driving Two Horses	8.275	.40	.30	.30	
Teamster Driving Three or More Horses	8.375	.40	.30	.30	
Scraper or vaccum truck	7.65	.40	.30	.30	

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